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EASTERN

F.O.  
371

1948



PALESTINE

FILE No. .... 4 .....

pp 3981 - 4203

68540

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1948

PALESTINE

E 3981

30 MAR 1948

Registry Number | E3981/4/31

TELEGRAM FROM  
United Kingdom  
No. Delegation  
NEW YORK.  
Dated 995

Received in Registry | 29th March  
30th "

Palestine Food Supplies.

Refers Foreign Office telegram No, 1188(3119/4/31) Commission were informed as instructed in telegram number reference.  
Transmits points contained in Commissions reply.

Last Paper.

1959

References.

E5935/7/31.

68540

(Print.)

(How disposed of.)

8 Matheson. 60.  
1 Adelman Califf  
taken. M. 11.

M. 1.30.

M. 0.4

Admby

(M.A.)

MAR 20.

P.T.O

(Action completed.)

9/1/48

(Initials.)

9/1/48

Next Paper.

3982

(Minutes.)

The Private Sec. has asked for these pp. urgently.

Flag B. shows the decision of Amers to which this tel. refers.

J. S. Pridham  
Apr. 1  
(BEIT IT)

There has ~~now~~ <sup>now</sup> been a meeting of Ministers about the question of food for Palestine which, I understand, took this telegram into account and agreed upon the line proposed by the Colonial Office. Briefly this line was that we should maintain the decision communicated in our Telegram No. 1188 to New York (Flag B), but stated that, if an emergency arose, we should do our best to divert supplies to prevent the actual ~~onset~~ <sup>onset</sup> of famine.

There are two points at the end of this telegram, (h) and (i), which closely touch the Treasury and require to be cleared up. A meeting is therefore to be held at the Colonial Office which the E.R. Department (Mr. Pridham) will attend. As far as I can recall from the previous meeting, the Treasury have always agreed to release reasonable sums from the block balances for essential requirements like

ed

food/

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food. We must also presumably agree to negotiate about the block balances at some stage, but this is a more long term issue.

Co. will put up a draft reply after the meeting.

*J.G.S. Beith*  
(J.G.S. Beith)

2nd April, 1948.

E.R. Department.

This was discussed at a meeting on 2 April.

It was agreed that a telegram should be sent to Sir A. Cadogan re-affirming our decision not to finance the supplies in question and asking him to inform the Commission that if they do not find a way to finance the supplies within a fortnight, the supplies will be lost since shipment etc cannot be organised at a later date.

If the Commission maintain their view, we may have to consult Ministers again, since (c) of their decisions (attached) may cause us more trouble and expense than to finance the supplies ourselves now. Sir A. Cadogan will be asked for a very early reply, and the Tel will be sent to us today from the Colonial Office, for clearance and despatch.

On points (h) & (i), the Treasury will agree to eventual negotiation of further sterling releases (but not of provision of hard currency) and will be sending the terms of their reply which will be sent in another telegram.

E.R. Dept.

K.C. Pridham.

Draft attached  
JB Apr. 3

3/4

7  
Tel. New York 1384

April 3.  
Rtd. W. Van. 161-6

2 A. Brown - April 6.

8, Boston, C.D.  
Rus. & Johnson. Jcy.  
Stanco N. Food  
Longshore Jcy  
April 1.

Tel. New York 1464  
April 9.

8, M. Stevenson  
Treasury  
April 12

8, J. P. C. Agents  
Crawshaw BIE  
Apr. 14

Tel. New York 1526

8, Economic Unit  
3 April 1948  
May 4.

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Palestine Blocked Balances

I attach a draft telegram which the Treasury have now produced, containing instructions to Sir A. Cadogan about what he should say to the United Nations Commission on this subject. The decision regarding the blocking of the Palestine sterling balances, which is recorded in E.P.C. (48)8 of January 21st, was communicated to the United Nations Commission on February 21st and the day before to the State Department. A public announcement was also made explaining the reasons why we had to take this action in defence of the sterling area and since then we have not had many questions from the Commission on this subject. They have, however, raised it in connection with the supply of food to Palestine after 15th May, a question about which they became unnecessarily excited. Sir A. Cadogan reported in his telegram No. 995 on E.3981/4/31 that the Commission state that they attach great importance to the early removal of the foreign exchange difficulties arising from the Treasury order of February 22nd, and were ready to accept an invitation to negotiate regarding the balances to be released after 15th May. In our reply to this telegram, we promised to telegraph further on this point, and the present telegram contains the Treasury's considered reply.

The Economic Relations Department have seen a copy of the Treasury draft and agree that there is nothing more we can say. As far as I can see, this reply is an inevitable result of our policy in blocking the balances. Nobody in their senses would suppose that in the present situation of the sterling area we could lift the blocking at this stage. *as that in the present confusion we can lay down a policy for the gradual release of the balances -*

*J. G. S. Beith*  
(J. G. S. BEITH)

30th April, 1948.

L.F.L. Pym  
1/5*J. G. S. Beith*1/5  
with 1.5

Nothing to be Written in this Margin.

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Minutes.

4

G.P. Mary Longman. 7/9. & M. Bell 28/4  
- P. Minute Book 30/4

JB May 6

See within:

U.K. Del. New York tel. BRIEF 62 of

Palestine telegram 1261 of May 5. <sup>May 6.</sup>

Tel. to U.K. Del. New York BRIEF 151 of

May 8  
JB May 21

Nothing to be Written in this Margin.

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The following suggestions were discussed by the Foreign Secretary, Minister of Defence and Secretary of State for the Colonies yesterday and I understand were approved:

- (a) that we should stand firm on the decision not to agree to finance food supplies for Palestine for the period after the 15th May;
- (b) that a further review of the position should await the High Commissioner's report mentioned above;
- (c) that the Ministry of Food should be asked to bear in mind that it might be necessary in an emergency to call upon them to divert a relief shipment of supplies to Palestine in the period after the 15th May.

*by B. 2/4.*

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Dear Brudman

6

Herewith copy of telegram  
to ~~UKDEL~~ UKDEL as  
drafted by Miss Longman and  
myself. She is checking it  
with Tracy. Ministry of  
Food. I am in C.O. We  
will let you know.

Perhaps you would consult  
an F.O. man by Ben. J.G.

Tel. sent

JB Apr 3

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Cypher/OTP

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No.995  
29th March, 1948.

D. 2.33 p.m. 29th March, 1948.

R. 9.00 p.m. 29th March, 1948.

Repeated to Jerusalem,  
Colonial Office,  
Washington Saving.

E 3981

30 MAR 1948

IMMEDIATE  
SECRET  
GIANT

Addressed to Foreign Office telegram No.995 of 29th March, repeated to Jerusalem, Colonial Office and Saving to Washington.

Your telegram No.1188.

Palestine food supplies.

Commission have been informed as instructed in your telegram under reference.

2. Commission's reply contains the following points:-

(a) Commission note that His Majesty's Government will continue the present procurement of food supplies up to 15th May.

(b) Commission are pleased to note action of His Majesty's Government as set out in sub-paragraph 1 of paragraph 1 of your telegram under reference.

(c) Commission note with concern statement that Government of Palestine is unable to advance money to finance these operations, since it is the view of the Commission that food supplies should be one of the first claims on the revenues of any government in Palestine.

(d) As regards (b) of sub-paragraph 1 of paragraph 1 of your telegram under reference, financial obligations undertaken during the period 15th May to 30th June will be accepted by the Commission within the scope of the authority entrusted to them by the General/Assembly's resolution.

(e) With respect to financial obligations entered into before 15th May for the supply of foodstuffs to meet needs after that date, Commission make the following comments:-

(I) Financial/.....

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New York telegram No.995 to Foreign Office.

- 2 -

(I) Financial obligations arising from such food supplies are the responsibility of the successor authority in Palestine.

(II) In this sense and within the scope of the authority entrusted to them by the resolution, Commission accept responsibility for any such supplies procured for the period after 15th May.

(III) However, as His Majesty's Government will be aware, Commission have no (repeat no) command over the revenues of Palestine before 15th May. Thus, they are dependent upon the co-operation of His Majesty's Government in their efforts to maintain essential food supplies for Palestine during the few weeks immediately following the termination of the mandate.

(IV) Commission would of course undertake to arrange for the reimbursement of His Majesty's Government at an early date out of the future revenues of Palestine (which would include income from sale of food supplied by government) for expenditure incurred in securing supplies for the period 15th May to 30th June.

(V) Alternatively, Commission propose to guarantee reimbursement either from the future net income of the Palestine Currency Board or from surplus assets of Currency Board.

(f) Commission are prepared to open immediately negotiations with His Majesty's Government on these proposals.

(g). With regard to paragraphs 2 and 3 of your telegram under reference, Commission recognise that procurement by government purchase requires to be supplemented by other means including granting of import licences to private traders. Nevertheless, Commission attach great importance to the maintenance of the existing machinery of government purchase which facilitates distribution and price control. Commission must therefore disavow responsibility for the consequences of the decision of the mandatory power to discontinue all government purchases and to substitute instead the issue of import licences to private traders since this decision has been taken against (repeat against) the expressed wishes of the Commission.

(h) Commission point out that issue of import licences offers no (repeat no) guarantee of actual procurement, the more so as Treasury order of 22nd February blocking Palestine sterling balances added foreign exchange difficulties to other uncertainties of procurement. Therefore substitution of private procurement for government purchase is likely/....

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New York telegram No.995 to Foreign Office.

- 3 -

is likely to result in substantial increase in cost of such supplies as can be obtained.

(I) Commission attach great importance to early removal of foreign exchange difficulties arising from Treasury order of 22nd February and are ready to accept invitation to negotiate regarding balances to be released after 15th May.

Please pass Immediately to Jerusalem and Colonial Office as my telegrams Nos. 249 and brief 35 respectively.

[Copy sent to Telegram section Colonial Office for repetition to Jerusalem].

QQQQQ

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# CYPHER

C. O.

Mr. \_\_\_\_\_  
Mr. \_\_\_\_\_  
Mr. \_\_\_\_\_  
Mr. \_\_\_\_\_  
Mr. \_\_\_\_\_

Permt. U.S. of S.  
Parly. U.S. S.  
Minister of State  
Secretary of State

*2/4*  
*Dispatched 16 30*

Your Reference

DRAFT. CYPHER(O.T.P.)

~~MOST IMMEDIATE~~

UKDEL *N. York 1384*  
*Jerusalem*  
Repeated to Palestine  
and Washington. 3650

*World Organisation*  
*with.*

*Cypher*

*a substantial sum to meet  
outstanding commitments, of which  
~~existing~~ the food bill is some £3 million,  
only part of which may be  
recovered. In addition deficit,  
at 15th May through declining  
revenue is likely to be very  
substantial.*

**FURTHER ACTION.**

~~IMMEDIATE~~  
SECRET  
GRANT

*Add to UKDEL N York*  
*Tel. no 1384 N York 5*  
*Repd. info to Jerusalem at Wash.*

Your telegram No. 995 [of Mar. 27]

Palestine Food Supplies.]

We are glad to note that United Nations Commission accept financial obligation for supplies received after 15th May. <sup>M.P.</sup> It is, however, quite impossible for Palestine Government to advance ~~money~~ <sup>money</sup> for procurement, since apart from question of principle, it has no monies available for the purpose.

Palestine Government is already in deficit and His Majesty's Government have been obliged to advance ~~£3 million to meet outstanding food bill commitment,~~ only part of which may be recovered.

~~In addition, deficit at 15th May is likely to be of order of 25 million.~~ Proposal

at 2(c) of your telegram would therefore mean that His Majesty's Government would have to put up the money and this His Majesty's Government is not (repeat not) prepared to do. In view of uncertainty of future developments in Palestine His Majesty's Government cannot

feel

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feel confident that Commission will now be in  
a position to implement <sup>*within a reasonable time*</sup> a guarantee to re-imburse  
His Majesty's Government out of future revenues of  
Palestine (sub para. (iv) of your paragraph (e) refers.)

3 X. Regarding sub-paragraph (v) of your paragraph (e),  
His Majesty's Government consider that disposal of  
Palestine Currency Board's funds would be a matter on  
which the views of the successor currency authority  
should be obtained. Under the Partition Plan this was  
envisaged to be the Joint Economic Board, and until the  
future currency authority is set up the disposal of any  
such funds must rest in abeyance.

For your personal information only, we may eventually  
claim that surplus assets, if any, of the Currency Board  
which have accrued during the life of the existing  
administration should be used to offset in part any  
deficit in the <sup>*final accounts of*</sup> ~~the~~ Palestine Government <sup>*the present*</sup>

4 X. His Majesty's Government can therefore only  
~~undertake procurement~~ <sup>*final accounts of the present*</sup> for period in question on an agency  
basis i.e. if they are put in funds at time that payment  
is required by suppliers. Paragraph 1(b) of my  
telegram No. 1158 suggested means by which Commission  
might be able to make funds available. Total amount  
required for supplies up to end of June would be of the  
order of £1-1½ million.

5 X. This question is now a matter of great urgency  
since if continuity of supplies to Palestine is not to be  
interrupted it is essential that shipping arrangements  
should be made within next week or ten days. Failing that  
we understand that at 15th May Palestine's stock of cereals  
will not (repeat not) exceed 2 weeks supply, *except in so far as*  
*the position might be covered by private imports (a point*  
*on which I should be grateful* 5.  
*if High Commissioner, to whom this tel. is being*  
*repeated, could report urgently the present*  
*situation).*

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If arrangements referred to at the end of para. 4 are impossible

6. We should be glad if you would make position clear to United Nations Commission immediately, ~~and with their agreement approach the Secretary General with a view to enlisting his help.~~ We understand that <sup>(Sec. Gen.)</sup> he has powers to advance up to \$2,000,000 at his own discretion, and further amounts with the agreement of the Advisory Committee out of working capital of United Nations for purposes of urgent economic rehabilitation. It appears to us that financing of urgent supplies for Palestine would come within this definition. If for any reason this were not immediately possible, support of Secretary General might well facilitate arrangements on lines suggested in paragraph 1(b) of my telegram No. 1188.

You should not yourself approach Sec. Gen. but could suggest this expedient to the Commission if you think it desirable.

7. We will telegraph further on paragraphs 2(h) and (I) of your telegram.

JB Apr. 3

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FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No. 1384.

April 3rd, 1948. D. 6.30.p.m. April 3rd, 1948.

Repeated to Jerusalem  
Washington No. 3656.

IMMEDIATE.

SECRET.

GIANT.

Addressed to United Kingdom Delegation New York telegram No. 1384 of April 3rd, repeated for information to Jerusalem and Washington.

Your telegram No. 995 [of March 29th: Palestine Food Supplies].

We are glad to note that United Nations Commission accept financial obligation for supplies received after 15th May.

2. It is, however, quite impossible for Palestine Government to advance money for procurement, since apart from question of principle, it has no monies available for the purpose. Palestine Government is already in deficit and His Majesty's Government have been obliged to advance a substantial sum to meet outstanding commitments, of which the existing food bill is some £3 million, only part of which may be recovered. In addition deficit at 15th May through declining revenue is likely to be very substantial. Proposal at 2(c) of your telegram would therefore mean that His Majesty's Government would have to put up the money and this His Majesty's Government is not (repeat not) prepared to do. In view of uncertainty of future developments in Palestine His Majesty's Government cannot feel confident that Commission will now be in a position to implement within a reasonable time a guarantee to re-imburse His Majesty's Government out of future revenues of Palestine (sub-paragraph (iv) of your paragraph (e) refers.)

3. Regarding sub-paragraph (v) of your paragraph (e), His Majesty's Government consider that disposal

/of Palestine Currency

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Foreign Office telegram to New York No. 1384.

-2-

of Palestine Currency Board's funds would be a matter on which the views of the successor currency authority should be obtained. Under the Partition Plan this was envisaged to be the Joint Economic Board, and until the future currency authority is set up the disposal of any such funds must rest in abeyance.

For your personal information only, we may eventually claim that surplus assets, if any, of the Currency Board which have accrued during the life of the existing administration should be used to offset in part any deficit in the final accounts of the present Palestine Government.

4. His Majesty's Government can therefore only undertake procurement for period in question on an agency basis i.e. if they are put in funds at time that payment is required by suppliers. Paragraph 1(b) of my telegram No. 1158 suggested means by which Commission might be able to make funds available. Total amount required for supplies up to end of June would be of the order of £1-1½ million.

5. This question is now a matter of great urgency since if continuity of supplies to Palestine is not to be interrupted it is essential that shipping arrangements should be made within next week or ten days. Failing that we understand that at 15th May Palestine's stock of cereals will not (repeat not) exceed 2 weeks supply, except in so far as the position might be covered by private importers (a point on which I should be grateful if High Commissioner, to whom this telegram is being repeated, could report urgently the present situation).

6. We should be glad if you would make position clear to United Nations Commission immediately. If arrangements referred to at the end of paragraph 4 are impossible we understand that Secretary General has powers to advance up to \$2,000,000 at his own discretion, and further amounts with the agreement of the Advisory Committee out of working capital of United Nations for purposes of urgent economic rehabilitation. It appears to us that financing of urgent supplies for Palestine would come within this definition. If for any reason this were not immediately possible, support of Secretary General might well facilitate arrangements on lines suggested in paragraph 1(b) of my telegram No. 1188. You should not yourself approach Secretary

/General but could

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Foreign Office telegram to New York No. 1381.

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General but could suggest this expedient to the Commission if you think it desirable.

7. We will telegraph further on paragraphs 2(h) and (I) of your telegram.

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JCSB

**IMPORTANT**  
~~CONFIDENTIAL~~

**CIP** F.O.  
194

Despatched M.

Draft.

UNITED KINGDOM  
DELEGATION TO THE  
UNITED NATIONS,  
NEW YORK

Addressed to UK Delegation, New York,  
Telegram No. 1464. of April 9, repeated for  
information to Washington.

Telegram.

My telegram No. 1384 of April 3  
Food for Palestine.

No. 1464

(Date) April 9

The Times of April 9th has a report from  
Lake Success dated April 8th about the  
provision of food for Palestine after May 15th  
in which the following sentence occurs:

Repeat to : -  
WASHINGTON 3937

"The Commission suggest that the Palestine  
Currency Board's Funds should be used, but  
the British reply is that the Board's  
assets, for what they are worth, are  
sacrosanct for currency purposes."

NOTHING TO BE WRITTEN IN THIS MARGIN.

*Try. asked  
for this a concor  
N.S. - Berlin  
Apr. 9*

2. Treasury point out that phrase "for what they are worth" casts unnecessary doubt on the value of Palestine currency, and is likely to weaken confidence in it.
3. Please telegraph whether there is any basis for the use of this phrase by the Times correspondent, and, if there is, what can be done to put it right.

~~XXXXXX~~  
~~XXXXXX~~  
Cypher.

Distribution : -  
Departmental.

*Leaf, sent to Mr. Stevenson  
9/4*

Copies to : -

Treasury (Mr. M.  
Stevenson)

630pm

11556, W. 4866 110 10011 3017 G.S.N. Gf. 029

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FROM FOREIGN OFFICE TO NEW YORK  
(To United Kingdom Delegation to the United Nations)

No. 1464  
9th April, 1948

D: 11.40 a.m. 10th April, 1948

Repeated to: Washington No. 5937

IMPORTANT  
CONFIDENTIAL

Addressed to United Kingdom Delegation, New York,  
telegram No. 1464 of April 9th repeated for information  
to Washington.

My telegram No. 1384 [of April 3rd Food for Palestine].

The Times of April 9th has a report from Lake Success dated April 8th about the provision of food for Palestine after May 15th in which the following sentence occurs:

"The Commission suggest that the Palestine Currency Boards Funds should be used; but the British reply is that the Boards assets, for what they are worth, are sacrosanct for currency purposes".

2. Treasury point out that phrase "for what they are worth" casts unnecessary doubt on the value of Palestine currency, and is likely to weaken confidence in it.

3. Please telegraph whether there is any basis for the use of this phrase by the Times correspondent, and, if there is, what can be done to put it right.

[Copy sent to Middle East Secretariat]

G G G G

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JS

Tel. No. : Whitehall 1234



Your Reference .....  
Treasury Reference .....



*E. D. W. P. 17*  
*P. D. M. C. 28*  
~~TREASURY CHAMBERS~~  
GREAT GEORGE STREET  
LONDON, S.W.1.

28th April, 1948

Dear Mr. Beith,

As you know we have been thinking about what we should do over releases from Palestine blocked balances after the 15th May. The conclusion we have come to is a rather gloomy one and I am afraid the U.N. Commission will not like it, but we fail to see what other line we can take.

I enclose, for your consideration, a draft telegram to New York repeated to Jerusalem. It is agreed with the Bank of England, and the Colonial Office have seen it and approved it generally.

*I am copying this to Mr. Friedman ~ Mr. Barr.*  
Yours sincerely,

*Mary Loughane*

J. G. S. Beith Esq.,  
Foreign Office.

PUBLIC RECORD OFFICE					
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Reference:-  
**FO 371 / 68540**

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IMPORTANT. SECRET. GIANT.

Add. to UK Del. N-York 1806 of May 1  
Rep. to Jerusalem & Wash

[of Apr. 3: 11 1806]

Tel.

UK Del.  
NEW YORK.

1806

R.T. May 1

JERUSALEM.

Washington

4/27/44

Cypher

World Org.

(3 copies also to  
Miss Humphreys,  
Tr. N)

E.R. Dept. agree

J.S. Beir  
Apr. 20

L.F.L. Pagan  
1/5

A. H. ...

My telegram no. 1384 para. 7. Releases 18  
from Palestine blocked sterling balances after  
15th May.]

As you are aware releases of £7 mn were made for period 22nd February to 15th May, on assumption that £4 mn would be required as working balances for the banks and £3 mn for current expenditure to supplement current accruals of sterling. In addition release of approximately ~~£1.5~~<sup>2.4</sup> mn have been approved to cover confirmed credits outstanding on 22nd February. H.M.G. have expressed their willingness to make further releases if necessary to the extent that private imports of food supplies for the period after 15th May involve sterling expenditure. (As these imports were normally made on Government account and paid for out of the Palestine Government's <sup>sterling</sup> funds held by the Crown Agents, which ~~has~~<sup>has not been blocked, they were</sup> not taken into account in calculating the original release of £7 mn).

2. Question of releases for period after 15th May raises great difficulties in view of peculiar and uncertain present position of Palestine.

3. Normally arrangements for release from blocked balances of a given sum to cover a given period are facilitated by

- (1) the existence in the country concerned of a recognised central authority which can
  - (a) advise how the sterling released should be distributed between the banks, (b) determined by the operation of exchange and import control how the sterling available shall be spent.
  - (ii) conditions of sufficient stability to  
/enable

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enable the country's trade and payments position and its reasonable requirements of sterling over the period to be calculated in advance.

4. None of these conditions is realised in the case of Palestine at present. First, no effective central authority <sup>as yet</sup> exists which can make arrangements on the lines indicated above for the period after 15th May, ~~nor do we know how long it will be before such an authority comes into existence.~~ Secondly it is impossible to foresee exactly how conditions in Palestine will develop after 15th May, but it seems most likely that there will be considerable confusion, that trade will be obstructed and greatly reduced, and that many of the banks <sup>may</sup> ~~will~~ be unable to operate, ~~at least for some of the time.~~

5. In these circumstances it is clearly impossible at this stage to make any realistic estimate of the amount of sterling which should be released for any defined period after 15th May, and the technical difficulties of administering any such release would be well-nigh insuperable. Moreover there would be grave risk of abuse since in the absence of an effective exchange control in Palestine any sterling released might be expended for purposes which would not be in the true interest of Palestine.

6. H.M.G. therefore propose that no attempt should be made at present to arrive at a figure for releases for any period after 15th May and that this question should be left in abeyance until it is possible to see how conditions in Palestine develop. ~~and until there is an effective exchange control authority there will which arrangements can be made.~~

7. Meanwhile banks in Palestine will have at their disposal all current accruals of sterling together with any balance remaining from releases  
/made

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**FO 371 / 68540**

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017 21

[This telegram is of particular secrecy and should be retained by the authorised recipient and not passed on]

Cypher/OTF WORLD ORGANISATION DISTRIBUTION  
FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No. 1806 D. 11.55 p.m. 1st May, 1948  
1st May, 1948

Repeated to Jerusalem  
Washington No. 4774

IMPORTANT

SECRET

GLANT

Addressed to U.K. Delegation New York telegram  
No. 1806 repeated for information to Jerusalem and  
Washington.

My telegram No. 1384 paragraph 7 [of 3rd April:  
releases from Palestine blocked sterling balances after  
15th May].

As you are aware releases of £7 mn were made for  
period 22nd February to 15th May, on assumption that  
£4 mn would be required as working balances for the banks  
and £3 mn for current expenditure to supplement current  
accruals of sterling. In addition release of approximately  
£2.4 mn have been approved to cover confirmed credits out-  
standing on 22nd February. His Majesty's Government have  
expressed their willingness to make further releases if  
necessary to the extent that private imports of food  
supplies for the period after 15th May involve sterling  
expenditure. (As these imports were normally made on  
Government account and paid for out of the Palestine  
Government's sterling funds held by the Crown Agents,  
which have not been blocked, they were not taken into  
account in calculating the original release of £7 mn).

2. Question of releases for period after 15th May  
raises great difficulties in view of peculiar and uncertain  
present position of Palestine.

3. Normally arrangements for release from blocked  
balances of a given sum to cover a given period are  
facilitated by

(i) the existence/

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Telegram No. 1806 from Foreign Office to New York

- 2 -

(i) the existence in the country concerned of a recognised central authority which can (a) advise how the sterling released should be distributed between the banks, (b) determine by the operation of exchange and import control how the sterling available shall be spent:

(ii) conditions of sufficient stability to enable the country's trade and payments position and its reasonable requirements of sterling over the period to be calculated in advance.

4. None of these conditions is realised in the case of Palestine at present. First, no effective central authority as yet exists which can make arrangements on the lines indicated above for the period after 15th May. Secondly it is impossible to foresee exactly how conditions in Palestine will develop after 15th May, but it seems most likely that there will be considerable confusion, that trade will be obstructed and greatly reduced, and that many of the banks may be unable to operate.

5. In these circumstances it is clearly impossible at this stage to make any realistic estimate of the amount of sterling which should be released for any defined period after 15th May, and the technical difficulties of administering any such release would be well-nigh insuperable. Moreover there would be grave risk of abuse since in the absence of an effective exchange control in Palestine any sterling released might be expended for purposes which would not be in the true interest of Palestine.

6. His Majesty's Government therefore propose that no attempt should be made at present to arrive at a figure for releases for any period after 15th May and that this question should be left in abeyance until it is possible to see how conditions in Palestine develop.

7. Meanwhile banks in Palestine will have at their disposal all current accruals of sterling together with any balance remaining from releases made before 15th May (see paragraph 1 above). His Majesty's Government will in addition be prepared to consider applications from individual banks, submitted through their United Kingdom correspondents to the Bank of

England, for/

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23

Telegram No. 1806 from Foreign Office to New York

- 3 -

England, for releases from their no. 2 (i.e. blocked) accounts of reasonable sums required to make essential payments in sterling. Before approving any such applications His Majesty's Government will require to be satisfied that the payment is for a purpose for which it is proper that sterling should be released and that it cannot be met out of sterling funds already available.

8. Sterling at the disposal of Palestine banks after 15th May, whether arising from current accruals or from releases from balances, will be available for expenditure in the sterling area and in such other countries as His Majesty's Government is at any time in a position to allow it to be used. His Majesty's Government accept no (repeat no) obligation to provide Palestine with hard currencies.

9. I should be grateful if you would advise the United Nations Commission in the above sense and report their reactions. You should assure the Commission that His Majesty's Government have reached the conclusions in paragraphs 5 and 7 above with regret and that they recognise that the interim arrangements proposed will be unsatisfactory in many ways for all parties concerned, and that they look forward to discussing more permanent arrangements as soon as circumstances render this practicable.

10. I shall welcome the views of the High Commissioner, Jerusalem, to whom this telegram is being repeated.

aaaaaaa

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INWARD TELEGRAM

TO THE SECRETARY OF STATE FOR THE COLONIES

26

3981 4 31

En Clair

FROM U.K. DELEGATION, NEW YORK

D. 6th May, 1948.  
R. 7th " " 09.50 hrs.

INDEXED

IMMEDIATE  
BRIEF No. 52

Addressed S. of S.  
Repeated for information Washington  
Beving.

Following for cutch from Fletcher Cooks.  
Sterling balances.

Substance of Foreign Office telegram  
No. 1806 was conveyed to Commission on 2nd May  
(P.(N.Y.) 90 refers).

2. Presume that I should now convey to  
Commission supplementary information contained  
in Jerusalem telegram to Colonial Office No. 1261.

3. Grateful for earliest confirmation.

Copies sent to :-  
Treasury  
Bank of England  
Foreign Office

- Miss Loughran.  
- Mr. C.H. Booth.  
- Mr. F.S.G. Heath.

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*mw*<sup>25</sup>

**INWARD TELEGRAM**

**TO THE SECRETARY OF STATE FOR THE COLONIES**

**3981 / 4 31**

Cypher (O.T.F.)

**FROM PALESTINE (Gen. Sir A. Cunningham)**

D. 5th May, 1948.  
R. 6th " " 02.10 hrs.

No. 126: Secret.

Addressed to S. of S.  
Repeated to U.K. Delegation New York, NY, 1948  
(Washington, D.C., 1948)

Reference Foreign Office Telegram No. 374

Your telegram No. 2302.

Palestine Sterling balances.

I consider proposal to purchase gold and  
sterling at the current rate of exchange from  
the Jewish Agency to be a good one and  
something of this kind has been expected.

I hope the proposal will be given  
release to the U.K. Delegation in New York  
This would be a very important step  
and the office of the U.K. Delegation  
should be kept informed of the progress.

The U.K. Delegation should be kept  
informed of the progress of the proposal.  
The U.K. Delegation should be kept  
informed of the progress of the proposal.  
The U.K. Delegation should be kept  
informed of the progress of the proposal.

Copies sent to:-

Treasury                  - Miss Loughnan  
Bank of England        - Mr. C.E. Loombe  
Foreign Office          - Mr. J.C.S. Beith

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OUTWARD TELEGRAM

26

FROM THE SECRETARY OF STATE FOR THE COLONIES

3981 4 31.

16479/35/48

Code

TO U.K. DELEGATION, NEW YORK.

Sent 8th May, 1948. 22.30 hrs.

INDEXED

IMMEDIATE

BRIEF No. 151 Confidential.

Addressed UKDEL, New York.  
Repeated for information Washington Saving.

Your BRIEF No. 62.

Following for Fletcher Cooke.

Sterling balances.

Not clear what information you wish to convey to Commission. No objection to notifying substance of first paragraph of High Commissioner's telegram No. 1261, but no (repeat no) mention of confirmed credits must be made.

2. Question of press release in order further reference to High Commissioner. Telegram No. 1903 to Palestine, repeated to UKDEL before. This matter also should not (repeat not) be discussed.

Copies sent to :-  
Treasury  
Bank of England  
Foreign Office

- Miss Loughbans.  
- Mr. C. E. Woods.  
- Mr. J. G. S. Smith.

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PUBLIC RECORD OFFICE

Group... **FO** .....  
Class... **371** .....  
Piece... **68540**

Following document(s) retained  
in the Department of origin  
under Section 3 (4) of the  
Public Records Act, 1958

E 3982/4/31

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E

E 3983

27

1948

PALESTINE

30 MAR 1948

Registry Number E3985/4/31

TELEGRAM FROM  
United Kingdom  
No Delegation  
NEW YORKDated 998  
Received 29th March  
in Registry 30th "Security Council, United States Resolutions.

Refers New York telegram No, 997. (E3982/4/51)

- Now transmits texts of United States resolutions.
- 
- (1) Immediate truce in Palestine.
- 
- (2) Special session of General Assembly.

Last Paper.

3982

References.

(Print)

(How disposed of)

8, Walkman, 10.  
for Mrs  
Mar 30.Herman, 10.  
Mar 30.M. 1.3a, 104,  
Admty, 10.11.

Mar 30

(Action  
complete)

L.P.M. 11/3

13/2/48

Next Paper.

1987

(Minutes)

2/22/48  
30/3

J.A.B.

20-3

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New York (U.K. Delegation) telegram 998  
to Foreign Office.

- 2 -

- II Having taken note of the United Nations Palestine Commission's first and second monthly progress reports and first special report on the problem of security, and
- III Having on March 5th, 1948, called on the permanent members of the Council to consult, and
- IV Having taken note of the reports made concerning those consultations,
- V Requests the Secretary General in accordance with Article 20 of the United Nations Charter, to convoke a special session of the General Assembly to consider further the question of the future Government of Palestine.

Foreign Office please pass important to  
Jerusalem as my telegram 252.

[Copy sent to Telegraph Section Colonial  
Office for repetition to Jerusalem]

---

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E

E 3984

30

30 MAR 1948

1948

PALESTINE

Palestine Food Supplies.

Registry Number E3984/4/51

TELEGRAM FROM United Kingdom delegation

No. New York

Dated 999

Received in Registry 2. th March 3. th y

Reedman, Commission's economic expert has informed Fletcher Cooke that he has copy of telegram dated 28th March addressed between Horowitz in Tel Aviv and Hoofien in New York, regarding foodstuffs for Palestine. (transmits text)  
Commission would be grateful for information regarding proposed arrangements.

Last Paper.

1983

References.

(Print.)

(How disposed of.)

9. Nalkunon  
Herman  
Scherr  
M.I. 3a  
M04  
Admby  
a.m.  
Mar 30

(Action complete.)

J. E. 6/6

Next Paper.

4008

(Minutes.)

E.R. Dept.

JB Mar 31

I don't follow

this. It seems untrue.

Reidham

3/4

JB Apr 5

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En clair

DEPARTMENTAL DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 999

29th March, 1948

D. 5.36 p.m. 29th March, 1948  
R. 12.05 a.m. 30th March, 1948

3984

IMMEDIATE

30 MAR 1948

Addressed to High Commissioner Jerusalem telegram No. 253 of 29th March repeated for information to Foreign Office and Saving to Washington.

Palestine food supplies.

Following for Stewart from Fletcher-Cooke.

Reedman, Commission's economic expert, has informed me that he has received a copy of telegram dated 28th March sent to Horowitz in Tel Aviv to Hoofien in New York.

2. Text is as follows:

[Begins]

"Re food supply, Palestine Government ready financing 80 per cent value foodstuffs supplied 15th May to 15th July including 12,000 tons flour, oil, frozen meat, rice, sugar, etc. Agency ready guarantee payment countries to be affected gradually as goods released storage. Attempting organise syndicate importers millers possibly Steel Brothers. Final decision this week. Shall inform you decision."

[Ends]

3. Commission would be grateful for information regarding proposed arrangements.

Please pass Immediate to Colonial Office and Jerusalem.

[Copies sent to Colonial Office and to Telegram Section Colonial Office for repetition to Jerusalem]

888



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<p>17</p>	<p>Palentine</p>	<p>E4008/G 32</p>
<p>E4008 / 4/31/9 Colonial Office Council dated 22 March</p>	<p>Palentine : New U.S. plan</p>	
<p>Last Paper L3939</p>	<p>(Minutes)</p> <p>D. Balguy 1/4</p>	
<p>References</p>	<p>H.B. 21/4</p>	
<p>(Print)</p>		
<p>(How disposed of)</p>		
<p>(Action completed) W.D. 3/4</p>	<p>(Index) W.D.</p>	
<p>Next Paper</p>		

33744

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Minute  
By hand

E Mr Bealey 33  
30 May 1948 Treasury Office

Encs

With the Compliments of the Private  
Secretary to the Secretary of State  
for the Colonies.

(Two copies of attached minute  
have been taken for S.O.S  
for the Colonies)

Colonial Office,  
The Church House,  
Great Smith Street, S.W.1

22 / 3 1948.

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8

Top Secret

PALESTINE

1. The new American plan.

The main features of the latest American proposal are:

- (a) a truce to be observed in Palestine;
- (b) establishment by a special session of the General Assembly of a temporary trusteeship, to afford a breathing-space while efforts are made to reach a final settlement by agreement;
- (c) use of American, British and possibly French forces to support the trusteeship Administration (this point, unlike the other two, has not been made public).

2. Motives of the U.S. Government.

The Washington Embassy consider that the main motives for the reversal of American policy are:

- (a) apprehension that Arab resistance to partition might lead to the introduction of Soviet troops into a key area of the Middle East;
- (b) realisation that the pro-Zionist voters could be appeased only by a policy which would alienate the larger number of voters who would object to the shedding of American blood in a Jewish cause.

3. Appeal to H.M. Government.

Mr. Loy Henderson has appealed to H.M. Government to support the new American line, on the ground that it is calculated to preserve our common interests in the Middle East. He has also suggested that the proposals may not obtain the necessary seven votes in the Security Council unless they are given some support by the U.K. Delegation.

4. First reactions of Arabs and Jews.

According to the Sunday newspapers, Azzam Pasha has /said

*Ex. 10*  
*36*

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**FO 371 / 68540**

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said that "if the Security Council adopts this resolution, we will willingly agree to a truce while the General Assembly meets." He added that there would be no objection to a United Nations trusteeship for a limited period while an Arab Government for Palestine was being formed. (Azzam Pasha was speaking in Beirut, where the Political Committee of the Arab League is now meeting.)

According to the same source, Mr. Ben Gurion has expressed the Zionist view as follows: "We shall not agree to trusteeship, either temporary or fixed even for the shortest time, and we shall no longer accept any foreign rule." There are rumours that the independence of a Jewish State will be proclaimed by the Zionist leaders in the near future.

5. Comment.

Trusteeship is a vague word. It seems almost certain that the Arabs will fight rather than accept a trusteeship which permitted Jewish immigration to continue or left open the possibility of partition. The Jews may fight in preference to accepting any trusteeship at all, and will certainly resist any form of trusteeship which is not designed to prepare the way for a Jewish State.

If these assumptions are correct, it is unlikely that when their truth becomes evident the Americans will be prepared to commit themselves to measures of enforcement.

If however they were willing, and we agreed to help them, we should together be back in the position from which H.M.G. are at present extricating themselves - bearing a responsibility which could never be laid down because Arabs and Jews would seek to influence Anglo-American policy instead of seeking agreement with one another.

In other words the situation would have become hopeless again. The only hope lies in an Arab-Jewish agreement. It may be that this cannot be reached except as a result of fighting. Meanwhile however there may be possibilities of peaceful agreement. The merit of the new American initiative is that it has broken the previous deadlock, provided more  
/room

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36

room for manoeuvre, and so re-created the possibility of an agreed settlement.

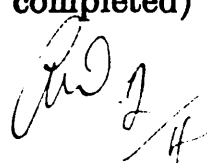
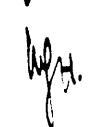
6. Conclusions.

- (i) There is little if any hope in the proposal for a temporary trusteeship;
- (ii) The privately conveyed suggestion that H.M.G. should help to provide the military backing for such a trusteeship is extremely dangerous;
- (iii) The proposals for a truce, and for suspension of action on the partition plan, are steps in the right direction;
- (iv) The logical consequence of (iii) is a special session of the Assembly.

H. Beeley 21/3

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	Palestine EA	E4011 / G 3011 37
15. 1948 E4011 14 1/4 31/6 F.O. Minute dated 25 March	New proposals on Palestine	
Last Paper E4009	1) Tel. no 290 of March 26 <sup>(Minutes)</sup> from CRO to Canada. For reports of this, see E 4042/4/31. See also tel. from and to Ottawa at E 4094/6 J. Balfour 1/4 seen by Mrs. Buckley 1/4	
References  (Print)	2) Sir Mackenzie, CRO, to Mr. Beeby of April 1st.	
(How disposed of) Tel. New York 1308 25 March Rptd to ion 3378 Ottawa 3) CRO Mar. 30.	3) Tel. no 291 of March 30th. from Canada to CRO. 1/4	
(Action completed) 	(Index) 	
Next Paper		

33744

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Registry  
No. *E*

Top Secret.  
~~XXXXXXXX~~  
~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~  
~~XXXXXX~~

*38*  
**CYPHER** *E.O.*  
25th March, 1948.

**IMMEDIATE.**  
~~TOP SECRET~~

*Despatched*  
*UK 25/3*

*M.*

Draft.

Addressed to New York telegram No. *1308*  
of *25th Mch UKHC* Repeated for information to  
Washington and *Ottawa*.  
The Canadian High Commissioner called

~~IMMEDIATE.~~  
*UK Del*  
Telegram to *NEW YORK*  
No. *1308*  
(Date) *25/3*

Repeat to :-

WASHINGTON *3378*  
OTTAWA *(UKHC)*

*Mr. Henry*

*W. Bealy* *25/3*

*J. Robertson* *25/3*

*En Clair* *25/3*  
*Col.*

*Cypher* *XXXXXXXXXX*  
*XXXXXXXXXX*

Distribution :-  
Diplomatic Secret.

Copies to :-

*CRD*

on me yesterday at his request, and left with me a memorandum expressing the view of the Canadian Government that Anglo-American accord on new proposals for Palestine is of paramount importance. The memorandum also states that, unless we are able to take the Canadian Government into our confidence and advise them on the part they should play in the Security Council, they will have great difficulty in determining what useful contribution the Canadian Delegation can make in the present discussions there.

2. Robertson also left a copy of the instructions sent to your Canadian colleague on the 23rd March. In any statement he makes in the Security Council, he is to do no more than admit that partition with economic union is, in present circumstances, unworkable, and that alternative plans should be considered. If a vote is taken before he receives further instructions, he is to abstain on any proposal to which the United Kingdom has not agreed, with one exception. The exception is that he may vote in favour of a Special Session of the Assembly if you do not oppose this, if you do not express the view that the calling of a Special Session /would

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would be unwise, and if the Canadian vote is necessary in order to carry the Resolution. The Canadian Delegation is, however, instructed to support any Resolution on part of a Resolution on which there is agreement between you and your American colleague.

3. I told Robertson that we had been assuming that the Canadians would vote with the United States on the latter's present proposals. It would be very difficult for us to vote, in view of the special implications of any British action on Palestine. The High Commissioner should tell Mr. MacKenzie King that we value his help and his desire to co-operate. We realised the danger of the present situation in Palestine, but after all we had been warning the United States Government for the past three years where their policy would ultimately lead. We were not hostile to their present initiative and we should certainly not use our veto against them. If the Russians vetoed their plans, the U.S. Government could ask the Secretary General to convene another Special Session. *a special* ~~when the~~ Assembly ~~met again~~ *was called*, H.M.G. could re-consider their position, but it would continue to be one of great difficulty, at least until the 15th May.

4. I read to Robertson ~~my~~ Telegram No. *1292* to you, as an indication of the difficulties with which we were confronted and of our desire to be as helpful as possible in the circumstances.

5. In estimating further developments and in sending guidance to you, I will of course bear in mind the Canadian Delegate's instructions.

*W.B.*

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CYPHER/OTP

E.

Top Secret.

DIPLOMATIC (SECRET) DISTRIBUTION

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to the United Nations)

No. 1,308.

25th March, 1948.

D: 6.15 p.m. 25th March, 1948.

Repeated to: Washington No. 3,378,  
Ottawa (United Kingdom High Commissioner).

IMMEDIATE

TOP SECRET

Addressed to United Kingdom Delegation New York telegram No. 1,308 of 25th March repeated for information to Washington and United Kingdom High Commissioner Ottawa.

The Canadian High Commissioner called on me yesterday at his request, and left with me a memorandum expressing the view of the Canadian Government that Anglo-American accord on new proposals for Palestine is of paramount importance. The memorandum also states that, unless we are able to take the Canadian Government into our confidence and advise them on the part they should play in the Security Council, they will have great difficulty in determining what useful contribution the Canadian Delegation can make in the present discussions there.

2. Robertson also left a copy of the instructions sent to your Canadian colleague on the 23rd March. In any statement he makes in the Security Council, he is to do no more than admit that partition with economic union is, in present circumstances, unworkable, and that alternative plans should be considered. If a vote is taken before he receives further instructions, he is to abstain on any proposal to which the United Kingdom has not agreed, with one exception. The exception is that he may vote in favour of a Special Session of the Assembly if you do not oppose this, if you do not express the view that the calling of a Special Session would be unwise, and if the Canadian vote is necessary in order to carry the Resolution. The Canadian Delegation is, however, instructed to support any Resolution or part of a Resolution on which there is agreement between you and your American colleague.

3. I told Robertson that we had been assuming that the Canadians would vote with the United States on the latter's present proposals. It would be very difficult for us to vote, in view of the special implications of any British action on Palestine. The High Commissioner should tell

/s/ Mr. MacKenzie King

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Foreign Office telegram No. 1,308 to New York.

- 2 -

Mr. MacKenzie King that we value his help and his desire to co-operate. We realised the danger of the present situation in Palestine, but after all we had been warning the United States Government for the past three years where their policy would ultimately lead. We were not hostile to their present initiative and we should certainly not use our veto against them. If the Russians vetoed their plans, the United States Government could ask the Secretary General to convene another Special Session. If a Special Assembly were called, His Majesty's Government could re-consider their position, but it would continue to be one of great difficulty, at least until the 15th May.

4. I read to Robertson my telegram No. 1292 to you, as an indication of the difficulties with which we were confronted and of our desire to be as helpful as possible in the circumstances.

5. In estimating further developments and in sending guidance to you, I will of course bear in mind the Canadian Delegate's instructions.

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ENON

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### Outward Telegram from Commonwealth Relations Office

FOREIGN OFFICE  
CYPHER (TYPEX)

With the Compliments of the  
Under-Secretary of State for Commonwealth  
Relations. D.I

To: U.K. High Commissioner in Canada

(Sent 2.25 p.m., 26th Mar., 1948.)

**TOP SECRET**  
No. 290 TOP SECRET

Following from Foreign Office.

Addressed to United Kingdom Delegation New York telegram No. 1308-25th March repeated for information to Washington and United Kingdom High Commissioner Ottawa.

The Canadian High Commissioner called on me yesterday at his request and left with me a memorandum expressing the view of the Canadian Government that Anglo-American accord on new proposals for Palestine is of paramount importance. The memorandum also states that, unless we are able to take the Canadian Government into our confidence and advise them on the part they should play in the Security Council, they will have great difficulty in determining what useful contribution the Canadian Delegation can make in the present discussions there.

2. Robertson also left a copy of the instructions sent to your Canadian colleague on the 23rd March. In any statement he makes in the Security Council, he is to do no more than admit that partition with economic union is, in present circumstances, unworkable, and that alternative plans should be considered. If a vote is taken before he receives further instructions he is to abstain on any proposal to which the United Kingdom has not agreed, with one exception. The exception is that he may vote in favour of a special session of the Assembly if you do not oppose this, if you do not express the view that the calling of a special session would be unwise, and if the Canadian vote is necessary in order to carry the resolution. The Canadian Delegation is however

instructed/

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-2-

instructed to support any resolution or part of a resolution on which there is agreement between you and your American colleague.

3. I told Robertson that we had been assuming that the Canadians would vote with the United States on the latter's present proposals. It would be very difficult for us to vote, in view of the special implications of any British action on Palestine. The High Commissioner should tell Mr. Mackenzie King that we value his help and his desire to co-operate. We realised the danger of the present situation in Palestine, but after all we had been warning the United States Government for the past three years where their policy would ultimately lead. We were not hostile to their present initiative and we should certainly not use our veto against them. If the Russians vetoed their plans, the United States Government could ask the Secretary General to convene another special session. If a special assembly were called, His Majesty's Government could re-consider their position, but it would continue to be one of great difficulty, at least until the 15th May.

4. I read to Robertson my telegram No.1292 to you, as an indication of the difficulties with which we were confronted and of our desire to be as helpful as possible in the circumstances.

5. In estimating further developments and in sending guidance to you I will of course bear in mind the Canadian Delegate's instructions.

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COMMONWEALTH RELATIONS OFFICE,  
DOMINIONS OFFICE,

DOWNING STREET, S.W.1.

*kw*  
Top Secret and Personal.

*P.W.*  
*E*  
*42*  
1 April, 1948

Dear Beeley,

I suppose the enclosed telegram will be reaching you through the Private Secretary. You will like to see from it that your labours on Good Friday, for which I am grateful to you, produced such good results at Ottawa.

Yours sincerely,

*Nich Machtig*

H. Beeley, Esq.

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Ehon

**Inward Telegram to Commonwealth Relations Office**

ALLOTTED TO P.S. TO P.U.S.  
CYIPHER (TYPEX)

FROM : U.K. High Commissioner in Canada

D. 1.33.p.m. 30th March, 1948

R. 9.35.p.m. 30th March, 1948

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IMMEDIATE

No.291 TOP SECRET AND PERSONAL

Your telegram No.291.

Following for Hachtig.

I delivered message privately to Prime Minister on Saturday afternoon but unfortunately, owing to his weekend engagements, was unable to discuss personally with him. Before leaving yesterday for the United States however, he sent me message expressing his great appreciation of way in which Mr. Attlee and Mr. Bevin had responded this enquiry. This had given him just the help he wanted and he was deeply grateful for the consideration they had shown to him.

2. There is no doubt that he was highly pleased and relieved at getting so prompt and helpful an answer, and I am sure that this exchange, and especially the feeling it has given him that he is in our inner confidence, will be most valuable for the future.

3. There was no opportunity for Prime Minister to tell me before he left how he proposed now to handle matters in relation to the Cabinet and to the instructions to McNaughton, and special secrecy which he enjoined on me makes enquiry of St.Laurent and Pearson somewhat delicate, but if I can find out by discreet sounding how matters now stand I will of course report further.

Delayed, originally undecypherable.  
Repetition received 6.30.a.m. 31st March, 1948.

Copy to : C.R.C(A)

P.S. to Mr. Gordon-Walker  
P.S. to P.U.S.  
Mr. Shannon  
Sir A. Carter  
Mr. Syers  
Mr. J.S. Hunt (6)  
Secretary

Prime Minister's Private Secretary  
Foreign Office  
Colonial Office  
I.S. to Foreign Secretary  
I.S. to Secretary of State

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# E

E 4016 *44*

1948

30 MAR 348

PALESTINE

Registry  
Number } E 4016/4/31

**FROM**  
United Kingdom  
No. Delegation  
NEW YORK

Dated 25th March  
Received }  
in Registry } 25th "

Future Government of Palestine.

Copy of letter from the United Nations to Mr. Levan 001-12-9-1/185 dated 22 March, enclosing copy of letter which the Secretary General has received from the Palestine Commission dealing with the future government of Palestine with particular reference to the Provisional Councils of Government.

**Last Paper.**

*4/11*

**References.**

(Print.)

(How disposed of.)

(Minutes.)

This contains no new information and is merely a formal note by which Mr Trygve Lie tells H.M.G. that the Palestine Commission report that a Provisional Council of Government cannot, by April 1<sup>st</sup>,<sup>(a)</sup> be set up in the Arab State and (b) carry out its functions in the Jewish State. One of the reasons given is the Mandatory Power's refusal to allow such Councils to function before May 15<sup>th</sup>.

This note was received through the UK Delegation, who have kept a copy but do not say if its receipt has been acknowledged.

*D. Balfour 31/3*  
*HTB. 1/4*

(Action completed.) <i>J. L. M. 2/4</i>	(Index.) <i>HTB. 1/4</i> <i>3/12/48</i>
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**Next Paper.**

*40002*

26513 F.O.P.

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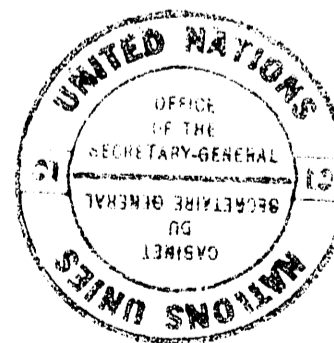
REFERENCE: 801-12-9-1/PJB

22 March 1948

The Secretary-General of the United Nations presents his compliments to the Secretary of State for Foreign Affairs in the United Kingdom and has the honour, in accordance with Part I, Section B, paragraph 4 of the Plan of Partition with Economic Union contained in Resolution 181 (II), adopted by the General Assembly on 29 November 1947, concerning the future Government .....

of Palestine, to communicate herewith a copy of a letter relating to the Provisional Councils of Government which was addressed to him on 18 March 1948 by the Chairman of the United Nations Palestine Commission.

The Secretary of State for Foreign Affairs,  
 Foreign Office,  
 Downing Street,  
 London, S.W.1.,  
 England.



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UNITED NATIONS  NATIONS UNIES

COPY 46

PALESTINE COMMISSION - COMMISSION POUR LA PALESTINE

18 March 1948

Sir,

On behalf of the United Nations Palestine Commission, I have the honour to inform you of the present situation as regards paragraph 4, Section B, Part I of the resolution of the General Assembly on the Future Government of Palestine with particular reference to the Provisional Councils of Government.

The relevant part of this paragraph of the resolution reads as follows:

"If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations."

In pursuance of this part of the resolution, the Commission in Section E, paragraph 2 of its Second Monthly Progress Report to the Security Council (document S/695), has included the following statement:

"2. On the basis of compelling evidence, the Commission has the duty to inform the Security Council now:

a) that the attitude of the Arab Higher Committee and Arab resistance in Palestine preclude the possibility of selecting a Provisional Council of Government for the proposed Arab State by 1 April;

b) that, while the Commission can take and has in fact taken some preliminary steps toward the selection of the Provisional Council of Government for the proposed Jewish State, that Provisional Council will not be able to 'carry out its functions', in the sense of the Plan, prior to the

/termination

Mr. Trygve Lie,  
Secretary-General of the United Nations,  
Lake Success,  
New York.

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- 2 -

termination of the Mandate.

c) The position of the Mandatory Power, as indicated in the reply to a question of the Commission set forth below, precludes any possibility of fulfilling, by 1 April, Part I, B, 4 of the Plan, as regards either the Arab or the Jewish State.

The Commission had inquired:

'In what manner is the Mandatory Power prepared, prior to the termination of the Mandate, to facilitate the work of the Commission respecting measures it must take to establish the Provisional Councils of Government?'

The Mandatory Power replied as follows:

'Subject to its overriding responsibility for the maintenance of law and order, the Mandatory Power would not impede any preliminary steps taken by the Commission with this object in view, although such Councils could not exercise any authority prior to the date of the termination of the Mandate.' "

I have the honour to be,

Sir,

Your obedient Servant,

/s/ Karel Lisicky

Karel Lisicky  
Chairman  
United Nations Palestine Commissi



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E

E 4042

48

1948

PALESTINE

21 MAR 1948

Registry Number E4042/4/31

FROM

Office of the  
High  
Commissioner  
Canada

Dated

Received in Registry 24th March  
31st "Palestine, Canadian Policy.

Canadian Government feel that it is of paramount importance that the United Kingdom and the United States reach accord over the new United States proposals for the Settlement of the Palestine question,

It also feels that the Canadian Government should be taken into the confidence of the United Kingdom and informed of what is felt to be the best policy for countries like Canada to support, in the Security Council at the present time.

## Last Paper.

4016

## References.

KNC/11/10

(Print.)

(How disposed of.)

(Minutes.)

In P.P. 20 Minute, W. Rabent 24/3  
- - - W. Peley 24/7.

Now see telegram to Ottawa at E 4094/4/3 and to  
New York at E 4011/4/6 (repeated to Washington and Ottawa)

D. Balfour  
1/4

Seen by Mr. Beely

D.P.  
1/4

(Action completed.)

J. G. M. / 4

(Index)

M. B. / 4  
3/1/48

## Next Paper.

4045

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SECRETARY OF STATE

Sir E. Machtig, whom the Canadian High Commissioner was seeing in another connexion this afternoon, thought you might like to have the following advance warning of the communication which Mr. Norman Robertson is coming to make to you about Palestine.

The gist of these instructions is that the Canadian Government are very unhappy about the position which has developed. Although they admit that they do not know all the facts, they nevertheless feel that our attitude is a little too negative. For general reasons of world policy they are most anxious to avoid any trouble between us and the United States and equally to prevent a situation arising from which only the Soviet Union would profit. They hope very much, therefore, that His Majesty's Government will be able to take some step now which would enable the Canadian Government to range themselves solidly at our side.

I attach the Hansard recording your speech yesterday, columns 2626-2628, and a copy of the telegram sent to Sir A. Cadogan this morning, which you may like to show to Mr. Robertson.

*Norman Robertson*  
24th March, 1948.

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MEMORANDUM

50  
PALESTINE: The Canadian Attitude.

During the last General Assembly, the Canadian representative, Mr. Pearson, on the Ad Hoc Committee, played an important part in securing the adoption of the partition plan. It was he who smoothed out the difficulties between the American and Russian Delegations.

Shortly before the Security Council began to discuss Palestine, we heard from Ottawa that Mr. Pearson had expressed the fear that the seeds of serious friction were being sown between the United Kingdom and the United States on account of Palestine.

On the 21st February Mr. Pearson called on the Colonial Secretary in New York, and explained to him the views of the Canadian Government at that time. They were opposed to the creation of an International Force to operate in Palestine, and were thinking along the lines of an attempt to create a Committee drawn from the permanent members of the Security Council, the tasks of which would be to consult Jewish and Arab representatives and to make any adjustments in the partition plan which might result if conciliation were successful. The Canadians very much disliked the idea of convening a Special Assembly to reconsider the whole problem.

The latest expression of Canadian views which has been reported from New York is the speech made in the Security Council on the 3rd March by General McNaughton. He drew attention to the necessity for some measure of co-operation between Jews and Arabs if the Assembly recommendations were to be realised, and said that such co-operation could not be secured by coercion. He therefore appealed for a supreme effort by the permanent members to resolve the difficulty by means of conciliation. The events of the period since the 29th November had underlined the necessity for an agreed solution. The Canadian position, however, should not be interpreted as a repudiation of the General Assembly's plan, and that plan should be taken as a starting point in the proposed effort at conciliation.

*H. Beeley*  
H. Beeley.

24th March, 1948.

*Since dictating the above, I learn that the Canadian representative has spoken in the Security Council to-day. I am told that he has agreed in principle to the new American plan, but has asked for more information about it before committing himself. He added that there must be assurances that the major Powers would be prepared to take the necessary responsibilities.*

*H.B.*

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*E. K. P.*  
OFFICE OF THE

HIGH COMMISSIONER FOR CANADA,  
CANADA HOUSE,  
LONDON, S.W.1.

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*UK del  
1908*

*Tel sent*

*J.H.  
25/3*

E 4042

1 MAR 1948

The Canadian Government feel that in the present grave international emergency it is not possible that the United Kingdom and the United States are going to continue to be divided on the important question of Palestine especially with the present discussions going on in Washington. The United Kingdom must be very much concerned in keeping the Russians from securing influence or power in the Eastern Mediterranean.

Canada has supported partition with economic union, but events have changed so that this cannot now be carried into effect. It is of paramount importance that the United Kingdom and the United States should reach accord on new proposals. We hope indeed that the United Kingdom, the United States and France can reach agreement on common policy.

It may be that the new United States proposals are the best in the circumstances but that for understandable reasons the United Kingdom find it difficult to say so publicly. We feel, however, that since the United Kingdom has had a quarter century's experience in dealing with Palestine and is a country primarily concerned in what may happen in the Eastern Mediterranean, we should be taken into their confidence and informed of what they feel is the best policy for countries like Canada to support in the Security Council at the present time.

/If

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If, for any reason, the United Kingdom Government is unable to answer this enquiry we will find great difficulty in determining what useful contribution the Canadian Delegation could make in the discussions on the Palestine question in the Security Council.

24th March, 1948.

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Text of Instructions Sent by the Canadian Government to the Canadian Delegate on the Security Council on March 23rd, 1948.

-----

The United States proposals in regard to Palestine were discussed by the Cabinet this morning. In the absence of additional information, particularly in regard to the attitude of the United Kingdom, the Canadian Government is unwilling to state its position in regard to the United States proposals. Information is being urgently sought from the United Kingdom Government.

Until you have received further instructions, therefore, it would be preferable for you to avoid taking part in the discussions of the Palestine question in the Security Council. In any statement you make you should indicate clearly that the Canadian Government is at the moment not prepared to do more than admit that partition with economic union is in present circumstances unworkable and that alternative plans should be considered.

We assume that no vote on any substantive question can be taken at the meeting on March 24th since no resolutions have been circulated in advance. If, nevertheless, a vote is taken before you have received further instructions you should abstain on any proposal to which the United Kingdom has not agreed. The only exception to this rule of abstention is a proposal to call a special session of the Assembly. You may vote for this provided that:

- (a) Your affirmative vote is necessary in order to carry the resolution; and provided further that the United Kingdom has not opposed

/the

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the calling of the special session;  
and

(b) The United Kingdom has not said that  
in its opinion the calling of the special  
session would be unwise.

You may, if you think it necessary, communicate  
to the United States Delegation, confidentially in advance,  
that it will be necessary for you to abstain on any vote  
which is taken in present circumstances, and that further  
information is being sought. You should not, however,  
indicate that a particular effort is being made to secure  
information from the United Kingdom Government.

The instructions contained in this telegram  
will not apply if you ascertain that the United Kingdom  
Delegation and the United States Delegation are in  
agreement in regard to a policy for Palestine. If the  
United Kingdom and United States Delegations agree in  
supporting a resolution or any part thereof in regard to  
Palestine, you may support this resolution or such part.

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E 4065

31 MAR 1948

55

PALESTINE

Registry Number: E4065/4/31  
 TELEGRAM FROM  
 No. United Kingdom Delegation  
 Dated 1014  
 Received in Registry: 30th March 31st "

Security Council, United States Resolutions.

Refers New York telegram No, 998 (3983/4/31)  
 Austin introduced two resolutions in terms identical with drafts in New York telegram under reference with addition of " and emphasises the heavy responsibility which would fall upon any party failing to observe a truce" after " communities of Palestine" at end of paragraph 1 (11).  
 He offered these resolutions as carrying out part ii of paper representing views of four permanent members.

Last Paper.

4045

(Minutes)

*DBL*  
114

References.

HB. 2/4

(Print.)

(How disposed of.)

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WORLD ORGANIZATION  
DISTRIBUTION 1948

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No. 1014

D. 8.11 pm. 30th March, 1948.

R. 2.45 am. 31st March, 1948.

30th March, 1948.

Repeated to Jerusalem  
Washington saving.

IMMEDIATE  
GIANT

Addressed Foreign Office telegram No. 1014 of 30th March,  
repeated for information to Jerusalem and saving to Washington.

My telegram No. 998.

Palestine Security Council.

Austin introduced two resolutions this afternoon in terms identical with drafts in my telegram under reference with addition of "and emphasises the heavy responsibility which would fall upon any party failing to observe a truce" after "communities of Palestine" at end of paragraph 1(ii). He offered these resolutions as carrying out part ii of paper representing views of four permanent members (S/P.V.270 of 19th March page 7).

2. President's statement of March 25th had indicated necessity of exerting every effort in Security Council to secure truce which should be based on two fundamental considerations:

(1) Cessation of hostilities in Palestine is imperative for humanitarian considerations to prevent anarchy and to preserve international peace.

(2) Both Jews and Arabs of Palestine must accept truce arrangements which would not prejudice claims of either. Truce should include suspension of political as well as military activity.

United States considered it essential that representatives of Jewish Agency and Arab Higher Committee fully authorised to enter into definite arrangements with Council should be called upon to state their views on arrangements for truce.

3. As regards second resolution United States still considered that temporary trusteeship should be established to maintain peace without prejudice to character of final political settlement. Special session should not be delayed by debates over details of trusteeship. United States were ready to offer and to consider

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New York telegram No. 1014 to Foreign Office.

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offer and to consider with other Council members detailed proposals during notice period.

4. Gromyko followed with a bitter attack on abandonment of Assembly plan in favour of trusteeship. Argument that implementation of partition is impossible by peaceful means was not based on fact but was designed simply to motivate change of plan really dictated by considerations of oil and strategy. Purpose of trusteeship was to convert Palestine into "military-strategic base of United States and England under pretext of maintaining order" entirely contrary to interests of people of Palestine and United Nations Organisation. Proposed special session was unnecessary as it could only go over once more ground covered by previous special session. Security Council would act incorrectly in instructing Palestine commission to suspend its work so long as Assembly resolution remained in force.

5. Concluding passage referred to current reports that United Kingdom might change its decision and leave troops in Palestine at request of United States to ensure establishment of trusteeship régime. Reversal of United States position had indicated that statements of official spokesman could not always be relied upon. "Public opinion of United Nations has the right to be on the alert in connexion with appearance of such reports".

6. In absence of further speakers discussion was adjourned until Thursday afternoon April 1st when Colombian delegate (Lopez) will take chair.

7. During meeting statement headed "An Arab Charter for Palestine" issued by Mufti as chairman of Arab Higher Committee was circulated to delegations by Makhlief. Copy follows in my telegram 126 saving. Statement asserts Arab right to independence on usual lines stresses their determination to protect Holy places, guarantee freedom of worship and preserve individual human rights. Arabs are not opposed to Jews in Palestine as Jews: present strife is due solely to Zionist aggression.

Please repeat to Jerusalem important as my telegram No. 254.

[Copy sent to Colonial Office for repetition to Jerusalem]

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16 1948 Palestine EASTERN E4068 / G \$8

E4068 / 4/23/48  
 Mr. J. Balfour, Washington, to Mr. M. Wright. C44/384/48. March 26th.

Future Trusteeship Policy for Palestine

Last Paper E4069

References E3726/1048/C

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Next Paper

(Minutes)

So far as I can see, without a detailed comparison of the two texts within, they are identical except that under the first the trusteeship would be jointly administered by France, the United Kingdom and the United States, whereas under the second the Trusteeship Council would "discharge the responsibilities of the administering authority". With that exception, the two documents may therefore be treated as one.

A striking feature of the draft trusteeship agreement is that it is interim only in name. Its interim character is nowhere mentioned except in the preamble, and its termination is dependent on approval by the General Assembly of a plan for full self-government "which is approved by a majority of the registered members of both the Arab and Jewish communities of Palestine".

Palestine would thus be organised as a unitary State for an indefinite period, and the provisions for terminating the trusteeship are such as to rule out once and for all the possibility of partition. It seems doubtful, in view of President Truman's remarks at his press conference on the 25th March, whether the State Department will succeed in obtaining approval for the submission of this draft by the United States Delegation to the General Assembly.

If it were so submitted, the Jews would presumably reject it on the ground mentioned in the preceding paragraph of this minute. The Arabs would also have strong objections to the draft:

(1) that it postpones independence indefinitely by giving the Jews a veto on the constitution of an independent State;

(2) that it provides for continuing Jewish immigration and apparently for the abolition of the Land Transfers Regulations.

The following points of detail are of interest

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(the references are to the first of the two documents).

Paragraph 3 of the preamble is, I think, open to question; but the Legal Advisers would have a more useful opinion on this (it is also worth noting that the preamble does not mention Article 79 of the Charter, under which terms of trusteeship are to be "agreed upon by the States directly concerned").

Article 2 and Article 7. The first draft provides that the Governments of France, the United Kingdom and the United States are to be designated as "the joint authority which will exercise the administration of Palestine". It is not at all clear how this joint control would work. It is provided, for example, in Article 7 that the Governor-General of Palestine shall be appointed by "the administering authority" and shall be responsible to "it". It is not at all clear what "it" means in this context. Does the Governor-General have to await parallel instructions from Paris, London and Washington, or are the three Powers to establish some joint agency to discharge their responsibilities in Palestine? In either case, exceedingly complex problems would arise.

Article 16 provides that the Cabinet shall be composed of (presumably Palestinian) "Ministers selected by a Prime Minister". In present circumstances this would mean in practice that if the Prime Minister were Arab, the whole Cabinet would be Arab, and if he were Jewish, the whole Cabinet would be Jewish. I do not know whether this is the intention of those who drafted the document.

It is also provided in Article 16 that the Cabinet shall tender its resignation to the Governor-General after a vote of no confidence in either House of the Legislature. Article 17, however, provides that the Upper House shall be elected in equal numbers by the Arab and Jewish communities. The fate of a Cabinet might therefore depend upon the absence through illness or some such cause of one member of the Upper House of the Legislature. Article 17 further provides that the Lower House shall be chosen from single-member constituencies of approximately equal population. This would give an Arab majority and would thus make the formation of a Jewish Government impossible. Again it is not clear whether this is the intention of the authors.

Article 18 provides that members of both Chambers are to be elected by universal suffrage. No account is taken of the difficult problem arising from the fact that the Moslem community would not wish its women to have the vote. Articles 24 and 25 provide for the constitution of a Supreme Court, the functions of which would include nullification of legislation on the ground of its incompatibility with the provisions of the trusteeship agreement. The composition of the Supreme Court would thus be of great political importance, but the draft agreement throws no light on this question.

Article/

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Article 27 provides that, during the first two years of the trusteeship, 100,000 Jewish Displaced persons should be admitted into Palestine. Thereafter immigration would be subject to a maximum of 25,000 persons a year, without distinction as to "religion or blood". Apart from the merit of this proposal in itself, its enforcement raises serious problems. Our ability to control the volume of immigration into Palestine in the past has depended inter alia on the maintenance of strong naval forces in Palestine waters and on our sovereignty over the island of Cyprus.

Article 29 appears to mean that the existing Land Transfers Regulations would be abrogated. It seems possible, in the light of Article 37, that their abrogation would take place before there could be any substitution of "adequate measures . . . "to assure protection for the interests of "small owners or tenants in cases of transfer "of arable or grazing lands".

*H. Beeley*

2nd April, 1948.

I fear we shall have to be very negative in our comments on these drafts and on the whole trusteeship idea, not only on account of the difficulties mentioned by Mr. Beeley, but also because of the enormous security problem which trusteeship involves. A study is being carried out by the Chiefs of Staff here of the forces that would be required; a preliminary paper suggests that five divisions would be necessary, plus several squadrons of aircraft, two cruisers, eight destroyers and subsidiary craft; also a large force of administrative troops, base installations etc.

In general, moreover, it is absurd to think that it will be possible to reach agreement between the two communities on a constitutional machinery for Palestine now that tempers have become so hot, when we failed hopelessly to achieve any such agreement in far more favourable circumstances in the past. All that would in fact happen would be that the United Nations Governor-General and his Advisory Council would take the place of the High Commissioner and the British officials of the Palestine Government.

If we point out all these snags to the State Department, we shall no doubt be asked whether we have any more constructive suggestions and that will be the moment at

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Minutes.

which we may have to produce a plan of our own.  
Mr. Beeley is working out a new plan based on  
the Secretary of State's suggestions of this  
morning.

*G.B. Suttow*

2nd April, 1948.

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BRITISH EMBASSY,  
WASHINGTON 8, D. C.

G 4/384/48

26th March, 1948

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*By dem Michael,*

You will have heard from the telegram which we are sending you to-day that, when I saw Henderson this morning to deliver the Secretary of State's message about Palestine (see Foreign Office telegram No. 3381), he handed me one copy each of two draft trusteeship agreements, respectively covering a three power and a United Nations trusteeship.

2. Henderson said that he would be most grateful if these documents could be forwarded to London as soon as possible in order to shew you how the minds of the State Department were working. He explained that, although these drafts embodied his own ideas, he had not yet had the opportunity of examining their texts, which had been drawn up by his subordinates. One of the latter, who was present at the talk, remarked that the article in each draft on the question of land policy would probably have to be revised in order to make it clear that private individuals of both Jewish and Arab communities would have the right to buy land anywhere in Palestine. Henderson also invited my particular attention to the Article on immigration in each draft. (Articles 27 and 28 respectively).

3. It was obvious that Henderson would appreciate our early comments on these drafts, which I merely undertook to forward home without delay. As it is, I am losing time by forwarding in this morning's Bag the only copies with which Henderson was at the moment able to supply me. The State Department hope to supply us later to-day with two further copies of each paper and we will then supply copies to Cadogan, together with a copy of this letter. We will also try to get extra copies for transmission to the Foreign Office.

Michael Wright, Esq., C.M.G.,  
Foreign Office,  
London, S.W.1.

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4. In conclusion, I should mention that Henderson was at pains to emphasise the need for treating these documents with the greatest secrecy.

*Yours ever  
Tockel? El form*

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Draft of March 22, 1948

*Three Pages 62*

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Copy 9 of 10 copies.

DRAFT TRUSTESHIP AGREEMENT FOR PALESTINE

Preamble

WHEREAS the territory known as Palestine has been administered under a mandate confirmed by the Council of the League of Nations; and

WHEREAS His Britannic Majesty was selected as Mandatory for Palestine by agreement of the Principal Allied and Associated Powers; and

WHEREAS France, the United Kingdom, and the United States are the remaining Principal Allied and Associated Powers; and

WHEREAS Article 75 of the Charter of the United Nations, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty accordingly has indicated his desire to place Palestine under the said international trusteeship system; and

WHEREAS the General Assembly has recommended that Palestine be provisionally administered under trusteeship, without prejudice to the rights, claims, or position of the parties concerned or to the character of the eventual political settlement; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW THEREFORE the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Palestine.

Article 1

Establishment of Trusteeship

The territory of Palestine, delimited on the east by Transjordan,

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on the north by the Republic of Syria and Lebanon, on the west by the Mediterranean and on the south by the Sinai Province of Egypt is hereby placed under the trusteeship system established in the Charter of the United Nations.

Article 2

The Administering Authority

The Governments of France, the United Kingdom, and the United States (hereinafter called "the Administering Authority") are hereby designated as the joint authority which will exercise the administration of Palestine.

Article 3

Powers of the Administering Authority

Subject to the terms of this agreement, the Administering Authority shall have full powers of administration, legislation, and jurisdiction over Palestine.

Article 4

General Objectives

1. The Administering Authority undertakes to administer Palestine in such a manner as to achieve the basic objectives of the International Trusteeship System laid down in Article 76 of the Charter of the United Nations.

2. The administration will be conducted in such a manner as to encourage the maximum cooperation between the Jews and Arabs in Palestine leading to a form of self-government which will be acceptable to both communities.

Article 5

Fundamental Human Rights and Freedoms

1. All persons in Palestine shall enjoy freedom of conscience and shall, subject only to the requirements of public order, public morals and public health, enjoy all other fundamental human rights and freedoms, including freedom of religion and worship, language, education, and speech.

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speech and press, assembly and association, and petition, including petition to the Trusteeship Council.

2. No discrimination of any kind on grounds of race, religion, language or sex shall be made against any person in Palestine.

3. All persons in Palestine shall be entitled to equal protection of the laws.

4. No person within Palestine may be arrested, detained, convicted, or punished except according to due process of law.

5. No person or property within Palestine shall be subject to search or seizure except according to due process of law.

6. The legislation of Palestine shall ensure that accused persons shall have adequate rights of defense.

7. The legislation of Palestine shall neither place nor recognize any restriction upon the free use by any person of any language in private intercourse, in religious matters, in commerce, in the press or in publications of any kind, or at public meetings.

8. Except as may be required for the maintenance of public order, good government and public health, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths. No measure shall be taken which discriminates on grounds of religion or nationality against any representative or member of such bodies.

9. The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.

Article 6

Organs of Government

1. During the trusteeship period, the Government of Palestine shall be composed of a Governor-General, a Cabinet responsible to the legislature, a bicameral legislature, and a judiciary: Provided that, pending the coming into being of the cabinet and legislature and during such

times

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times as they may be dissolved or suspended, as provided in this Agreement, the Governor-General shall be assisted by an Advisory Council, which shall function until such time as in the opinion of the Governor-General the citizens of Palestine demonstrate their willingness to cooperate in a cabinet and legislature as provided in this agreement or in any other form of government on which both Jewish and Arab communities have reached agreement.

2. The Advisory Council referred to above shall be composed of the permanent chiefs of the administrative departments of the Government and of representative Palestinian citizens appointed by the Governor-General from each community.

Article 7

Selection and Responsibility of the Governor-General

The Governor-General of Palestine shall be appointed by the Administering Authority and shall be responsible to it.

Article 8

Term of Office of the Governor-General

1. The term of office of the Governor-General shall be three years from the time of his appointment, provided that

- (a) the Administering Authority may extend the term of office of the Governor-General in any particular case for such period as it may think fit;
- (b) the Governor-General may resign his office upon due notice to the Administering Authority, and the Administering Authority may terminate his appointment for due cause at any time.

2. At the expiration of his term of office or extended term the Governor-General shall be eligible for reappointment.

Article 9

General Powers of the Governor-General

1. The Governor-General shall be the representative of the

Administering

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Administering Authority in Palestine.

2. The Governor-General, on behalf of the Administering Authority, shall exercise executive authority in Palestine and shall act as Chief Administrator thereof, subject only to the provisions of this Agreement and instructions of the Administering Authority. He shall be responsible for ensuring the peace, order and good government of Palestine.

3. The Governor-General and his official and private property shall not in any way be subject to the jurisdiction of the legislature or of the courts of Palestine.

Article 10

Power of Pardon and Respite

The Governor-General may grant to any offender convicted of any offense in any court of Palestine a pardon, either free or conditioned, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor-General thinks fit, and may remit fines, penalties or forfeitures which may accrue or become payable to Palestine by virtue of the judgment of any court of Palestine or of the operation of any legislation of Palestine.

Article 11

Governor-General's Emergency Powers

1. If, in the opinion of the Governor-General, the administration of Palestine is being seriously obstructed or prevented by the non-cooperation or interference of persons or groups of persons in Palestine, the Governor-General during the period of the emergency shall take such measures and enact by order such legislation as he may deem necessary to restore the effective functioning of the administration, and such orders shall have effect notwithstanding anything to the contrary in any legislation in force in Palestine.

2. The circumstances in which the Governor-General may have exercised any power conferred upon him by this article shall be reported to the Trusteeship Council as soon as may be practicable.

Article 12

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Article 12

Organization of the Administration

1. The Governor-General, after consultation with the Administering Authority, shall appoint a Chief Secretary to assist him in his duties. He shall be neither a citizen nor a resident of Palestine.

2. The Governor-General shall appoint an administrative staff, including an Attorney General, the members of which shall be selected on a non-discriminatory basis for their competence and integrity and, whenever practicable, from the residents of Palestine. Subject to any instructions of the Administering Authority, the appointments of members of the administrative staff may be terminated by the Governor-General at any time.

3. In the performance of their duties, the administrative staff shall not seek or receive any instructions from any government or authority other than the Government of Palestine.

Article 13

Acting Governor-General

If the office of Governor-General is vacant, or if the Governor-General is absent from Palestine or otherwise unable to exercise his powers or perform his duties, the officer holding substantively the appointment of Chief Secretary, or, if there is no such officer or he is absent from Palestine or unable to act, such person as may have been authorized to act in the circumstances by the Administering Authority, may exercise all the powers and perform all the duties of the Governor-General so long as the office of Governor-General is vacant or the Governor-General is absent from Palestine or otherwise unable to exercise his powers or perform his duties.

Article 14

Disqualification from Public Office

A person shall be disqualified from holding any public office,

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central or local, in Palestine, including membership of the Advisory Council and of the Legislature, if he holds any office under any other State: Provided that the Governor-General may appoint to any public office in Palestine for a limited period any person seconded from the service of another State.

Article 15

Preservation of Order

The Governor-General shall be responsible for the organization and direction of the police forces necessary for the maintenance of internal law and order and for the protection throughout Palestine of the Holy Places, religious buildings, and sites.

Article 16

The Cabinet

1. The Cabinet shall be composed of Ministers selected by a Prime Minister, all of whom shall be appointed by the Governor-General. Each Minister shall, during his term of office, serve as head of one of the administrative departments. Under him shall be a permanent chief of the administrative department and permanent administrative staff appointed by the Governor-General.

2. The Cabinet shall be individually and collectively responsible to both houses of the legislature.

3. Upon a vote of no-confidence by either house of the legislature, the Cabinet shall tender its resignation to the Governor-General who may then call upon responsible leaders in the legislature to form a new Cabinet or may dissolve the legislature and cause a general election to be held. The Cabinet shall also tender its resignation upon suspension or dissolution of the Legislature in accordance with the agreement.

Article 17

Legislature

1. The legislature shall consist of two houses.

The House

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2. The House of Representatives shall be composed of Palestinian citizens 25 years of age or older elected from single-member districts, each of which districts shall be a geographical unit with a population approximately equal in number to that of every other electoral district.

3. The Senate shall be composed of 20 Palestinian citizens 25 years of age or older elected in equal numbers by the registered members of the Arab and Jewish communities in Palestine. The Arab representation shall consist of Moslems and Christians in proportion to their numbers in the Arab population. [This paragraph is being revised.]

4. The term of office of both Representatives and Senators shall be three years.

5. Legislative provision may be made as to disqualification for election to or membership in either chamber of the legislature resulting from loss of legal capacities.

6. Remuneration of members of both chambers of the legislature shall be determined by legislation.

Article 18

Elections to the Legislature

1. The members of both chambers of the legislature shall be elected by the citizens of Palestine 21 years of age and over, on the basis of universal suffrage and by secret ballot.

2. Legislative provision may be made to disqualifications for voting resulting from loss of legal capacities.

Article 19

Duration of the Legislature

1. The term of both chambers of the legislature shall be three years from the date of its election unless earlier dissolved.

2. If, at the end of a three-year term of the Legislature, it is the opinion of the Governor-General that circumstances are inappropriate for the conduct of a general election, the Governor-General may temporarily

prolong

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prolong the term of the Legislature than in existence.

3. If, in the opinion of the Governor-General, the special objectives of this agreement are being gravely imperilled by the conduct of either or both Houses of the Legislature, the Governor-General may temporarily suspend the Legislature as a whole. The Trusteeship Council shall be informed concerning the situation as soon as practicable.

4. The Governor-General may at any time dissolve the Legislature. In the event of a dissolution, new elections shall be held as soon as circumstances are, in the opinion of the Governor-General, appropriate.

Article 20

Legislation and Resolutions

1. Bills and resolutions may be introduced in the Legislature by any member thereof.

2. The Governor-General, or a member of his staff designated by him, may make statements or answer questions before the Legislature or may introduce any bill or resolution and may participate without vote in the deliberations of the Legislature on the bill or resolution so introduced.

3. A bill adopted by the Legislature shall become law only upon approval and promulgation by the Governor-General except that on the expiration of thirty days after the transmission of a bill to the Governor-General, if he has by that time neither approved nor disapproved it, he shall promulgate it as a law. The Governor-General may disapprove a bill, if, in his opinion, it is in conflict with the provisions of this agreement, or it would impede the administration of Palestine or inflict undue hardship on any section of the inhabitants, and he shall then inform the Legislature of the reasons for his disapproval.

Article 21

Legislation by Order of the Governor-General

1. At any time when there is no Legislature for Palestine or the  
Legislature

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Legislature is suspended, the Governor-General may legislate by order and any such order shall become law.

2. If the Governor-General shall consider that it is essential to the normal functioning of the administration (which expression shall, without prejudice to its generality, include the obligations imposed by this agreement and all matters pertaining to the creation or abolition of any public office or to the appointment, salary or other conditions of service of any public officer) that any bill or resolution introduced in the Legislature should have effect, and if the Legislature fail to adopt such a bill or resolution within such time and in such form as the Governor-General may think reasonable and expedient, the Governor-General may, at any time in his discretion, notwithstanding any other procedures for legislation set out in this agreement or in the Standing Orders of the Legislature, declare that such bill or resolution shall have effect as if it had been adopted by the Legislature, either in the form in which it was so introduced or with such amendments as the Governor-General shall think fit which have been proposed in the Legislature. The said bill shall thereupon become law or the said resolution shall have effect.

3. The Governor-General shall forthwith report to the Administering Authority any action taken by him by virtue of this Article.

Article 22

Standing Orders of the House of Representatives and the Senate

1. Each chamber of the Legislature shall adopt such Standing Orders for the conduct of its business as it may deem appropriate.

2. Each chamber shall elect a chairman from its own membership; provided that if a chamber fails to elect a chairman within a period prescribed by the Governor-General, the Governor-General shall appoint the chairman.

3. The Governor-General shall convene the first session of each  
Legislature

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and other courts as may be deemed appropriate. Such legislation shall establish the jurisdiction of the courts, and provide for their organization.

2. All persons within Palestine shall be subject to the jurisdiction of Palestine, subject to any immunity for which provision is made in this Agreement.

3. The Supreme Court shall consist of such number of Judges, not being less than three or more than five as the Administering Authority may determine, of whom one shall be President of the Supreme Court and shall be designated Chief Justice. They shall be appointed by, and their appointments shall be terminated only by, the Administering Authority.

4. Judicial personnel other than the Chief Justice and the Judges of the Supreme Court shall be appointed and may be suspended or dismissed by the Chief Justice with the approval of the Governor-General, in accordance with any procedure for which provision may be made in the Instructions of the Administering Authority.

5. The existing status and jurisdiction of religious courts in Palestine shall be respected. In the case of any conflict regarding jurisdiction between religious courts or between religious courts and civil courts, the Supreme Court shall consider the case and decide in which court the jurisdiction shall lie.

6. Decisions by the Supreme Court shall be by a majority of its members; provided that, if in any case the opinion of the Court be equally divided, the opinion of the Chief Justice shall prevail.

Article 22

Constitutionality of Legislation and Official Actions

1. In cases brought before the Courts of Palestine this Agreement shall prevail over any legislation or official action. The Supreme Court shall have original and appellate jurisdiction in all cases involving claims that such legislation or action is incompatible with the provisions of this Agreement.

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2. In any case in which the Supreme Court decides that any legislation or official action is incompatible with the provisions of this Agreement, such legislation or official action shall be void and of no effect.

Article 26

Maintenance of International Peace and Security

In order to discharge its duties under Articles 78(a) and 84 of the Charter and Article 4 of the present Agreement, the Administering Authority may take all measures in Palestine which it considers desirable to provide for the defence of Palestine and for the maintenance of international peace and security.

Article 27

Immigration

1. During the first two years of trusteeship, the immigration of 100,000 Jewish displaced persons shall be permitted into Palestine. The selection and administration of the immigration of Jewish displaced persons to Palestine shall be conducted by the IBO, subject to the conditions of this Trusteeship Agreement and any regulations established thereunder by the Governor-General.

2. Thereafter, further immigration shall be without distinction between individuals as to religion or blood and shall be in accordance with the absorptive capacity of Palestine, as determined annually by the Governor-General; provided that not more than 25,000 persons shall be permitted to enter Palestine to establish permanent residence in any one year.

Article 28

Access to Palestine

Subject only to the requirements of public order and security, and of public morals and public health, freedom of entry into and of temporary residence in Palestine shall be ensured to all foreign pilgrims and visitors without any distinction as to nationality or faith.

Article 29

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Article 29

Land Policy

1. The Governor-General shall establish and maintain a land system appropriate to the needs of Palestine, in which there shall be no limitation on the sale, purchase, lease or use of land which discriminates on grounds of race, nationality, community or creed. However, under the authority of the Governor-General, adequate measures shall be taken to assure protection for the interests of small owners or tenants in cases of transfer of arable or grazing lands.

2. The Governor-General shall appoint a commission of impartial experts, who shall be neither Arab nor Jew, to recommend the criteria upon which the land system described in paragraph 1 shall be based.

Article 30

Educational System and Cultural and Benevolent Institutions

1. Education in Palestine shall be directed to the full physical, intellectual, moral and spiritual development of the human personality, to the strengthening of respect for human rights and fundamental freedoms and to the combating of the spirit of intolerance and hatred against other nations or racial or religious groups.

2. There shall be maintained in Palestine an adequate system of primary and secondary education on an equitable basis for the Arab community and for the Jewish community in their respective languages and in accordance with their respective cultural traditions.

3. Subject to such educational requirements of a general nature as the legislation of Palestine may impose, the right of any community or of any specific group within any community, to maintain its own institutions for the education of its own members in its own language shall not be denied or impaired.

4. Foreign education establishments shall be permitted in accordance with the legislation of Palestine; provided that existing rights shall continue unimpaired.

5. Educational and cultural establishments, charitable institutions and hospitals shall not be liable to any form of taxation from which they were exempt on 29 November 1947.

Article 31

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Article 32

Budget

The Governor-General shall be responsible for the preparation of the annual and supplementary budgets of Palestine; and only the Governor-General or a member of his staff designated by him shall introduce bills pertaining to budgets in the Legislature.

Article 33

Local Government

1. Existing local autonomous units and such new local autonomous units as may be created in Palestine shall enjoy wide powers of local government and administration in accordance with the legislation of Palestine.

2. The Governor-General shall be responsible for the organization of local government in Palestine in such a manner as to encourage the maximum cooperation between all elements of the local citizenry.

Article 34

External Affairs

1. Subject to the provisions of this Agreement, and to any instructions of the Administering Authority, the Governor-General shall conduct the external affairs of Palestine.

2. The Administering Authority, and the Governor-General to the extent that he is given general or special authority so to do by the Administering Authority, shall make arrangements by means of special international agreements or otherwise for the protection abroad of the interests of Palestine and of its citizens.

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3. The Governor-General, on behalf of Palestine, may sign treaties which are consistent with this Agreement.

4. The Governor-General shall adhere on behalf of Palestine to the provisions of any international conventions and recommendations drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter of the United Nations which may be appropriate to the particular circumstances of Palestine.

5. Such international undertakings entered into by the Governor-General shall be subject to approval by the Administering Authority, unless the Administering Authority should decide otherwise in any particular case or class of cases. The Governor-General shall inform the Legislature when it is in session concerning such international undertakings.

6. To the extent that they may be applicable to it, Palestine shall be bound by all international undertakings, both general and special, to which it has become a party. Subject to any right of denunciation provided for therein, such international undertakings shall be respected by Palestine throughout the period for which they were concluded.

7. Any dispute about the applicability and continued validity of any such international undertakings shall be referred to the International Court of Justice for an opinion in accordance with the provisions of the Statute of the Court.

8. Foreign powers shall enjoy immunities no less than those in force in Palestine on 29 November 1947, in respect of their property within Palestine.

Article 35

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Article 38

Holy Places, Religious Buildings  
and Sites Within the City

1. The protection of the Holy Places, religious buildings and sites within Palestine shall be assured by the Administering Authority and shall be the special concern of the Governor-General.
2. If any question arises as to whether any place, building or site not hitherto regarded as a Holy Place, religious building or site shall be a Holy Place, religious building or site for the purposes of this Agreement, the Governor-General shall decide. For the purpose of deciding any such question, the Governor-General may appoint a Committee of Enquiry to assist him.
3. If any dispute arises between any religious communities or within any religious community in connection with any Holy Place, religious building or site, the Governor-General shall decide on the basis of existing rights. For the purpose of deciding any such dispute the Governor-General may appoint a Committee of Enquiry to assist him. He may also, if he shall think fit, be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.
4. A decision of the Governor-General under paragraphs 2 or 3 of this Article shall not be called in question in any court. No court shall have jurisdiction to determine any such question as is mentioned in the said paragraphs, and, if any such question shall arise in any proceeding<sup>in</sup> any court, the court shall refer the same to the Governor-General for decision.
5. If

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5. If at any time it appears to the Governor-General that any Holy Place, religious building or site is in need of urgent repair, he may call upon the community or denomination or section of the community concerned to carry out such repair. If the repair is not carried out, or is not completed within a reasonable time, the Governor-General may himself carry out or complete the repair and his expenses of so doing shall be a charge on the revenues of Palestine but may be recovered from the community or denomination or section of the community concerned, subject to existing rights.

6. No form of taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation of that form on 29 November 1947. No change in the incidence of any form of taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings and sites or would place such owners or occupiers in a position less favorable in relation to the general incidence of that form of taxation than existed on 29 November 1947.

7. The Governor-General shall ensure by order that:

- (a) decisions of the Governor-General under paragraphs 2 and 3 of this Article are carried into effect and provision is made for the method of recovery of sums recoverable by virtue of paragraph 5 of this Article;
- (b) existing rights in respect of Holy Places, religious buildings and sites are not denied or impaired;
- (c) subject

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(c) subject always to the requirements of public order, decorum and public health, free access to the Holy Places, religious buildings and sites and free exercise of worship therein are secured in conformity with existing rights, and that, for this purpose, freedom of transit through Palestine shall be ensured to all foreign pilgrims and visitors without any distinction as to nationality;

(d) the Holy Places, religious buildings and sites are preserved;

(e) no act is committed which may in any way impair the sacred character of the Holy Places, religious buildings or sites; and

(f) generally that the provisions of this Article are carried into effect.

8. An order under paragraph 7 of this Article may contain penal provisions.

9. An order under paragraph 7 of this Article shall have effect notwithstanding anything to the contrary in any law in force in Palestine.

10. The Governor-General shall transmit a copy of every order made under paragraph 7 of this Article to the Administering Authority as soon as practicable and the Administering Authority may give such instructions to the Governor-General in relation thereto as it may think fit.

#### Article 36

#### Protection of Antiquities

The legislation of Palestine shall provide for the protection of the antiquities of Palestine.

#### Article 37

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Article 37

Continuity of Existing Legislation

All legislation in force in Palestine on the day preceding the entry into force of this Agreement, in so far as it is not inconsistent with the provisions of this Agreement, shall continue to apply to Palestine, with such modifications as may be required by reason of the entry into force of this Agreement, until such time as it may be amended or revoked by other legislation of Palestine.

Article 38

Equal Treatment

1. In accordance with the provisions of Article 76 of the Charter of the United Nations and subject to the provisions of Article 39 of this Agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations in respect of entry into and residence in Palestine, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of property both movable and immovable, the protection of person and property, and the exercise of professions and trades;

(b) shall not discriminate on grounds of nationality against nationals of any Member of the

United Nations

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United Nations in matters relating to the grant of concessions for the development of the natural resources of Palestine, and shall not grant concessions having the character of a general monopoly; (c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

2. The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 39

Public Services and Monopolies

Measures taken to give effect to Article 38 of this Agreement shall be subject always to the over-riding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of Palestine, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority, acting through the Governor-General, shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as are considered just;

(b) to

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(b) to create monopolies of a purely fiscal character in order to provide Palestine with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of Palestine;

(c) where the interests of the economic advancement of the inhabitants of Palestine may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 40

Reciprocity

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations the benefits of Article 38 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of Palestine equality of treatment with the nationals, companies and associations of the state which it treats most favorably.

Article 41

Cooperation with International Bodies

The Administering Authority may arrange for the cooperation

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(b) to create monopolies of a purely fiscal character in order to provide Palestine with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of Palestine;

(c) where the interests of the economic advancement of the inhabitants of Palestine may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

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cooperation of Palestine in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the Charter of the United Nations.

Article 42

Collaboration with the General Assembly and the Trusteeship Council

1. The Administering Authority undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the Charter of the United Nations, and to facilitate any periodic visits to Palestine which they may deem necessary, at times to be agreed upon with the Administering Authority.

2. The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the Charter of the United Nations. The Administering Authority shall also submit special reports pursuant to this Agreement or to requests of the Trusteeship Council. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to Palestine are considered.

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Article 43

Amendments

The terms of this Agreement shall not be altered, amended, or terminated without the consent of the Administering Authority.

Article 44

Settlement of Disputes

If any dispute whatever should arise between Members of the United Nations concerning the validity, interpretation, or application of provisions of the present Agreement, such dispute, if it cannot be settled by negotiation or other means, may be submitted, by any party, to the International Court of Justice for decision, pursuant to Chapter XIV of the Charter of the United Nations and the Statute of the International Court of Justice. The decision of the Court shall be binding upon all parties to the dispute.

Article 45

Entry Into Force

1. This Agreement shall come into force when approved by the General Assembly of the United Nations and by the governments of the Administering Authority in accordance with their respective constitutional processes.

2. The governance of Palestine shall be based solely upon the Charter of the United Nations, the terms of the present Agreement, and measures pursuant thereto.

Article 46

Termination of Trusteeship

1. In order to enable the inhabitants of Palestine to attain full self-government as soon as possible, it shall

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shall be the responsibility of the Governor-General, whenever he is in receipt of a plan of government for Palestine which represents agreement between the leading citizens of both Palestinian Jewish and Arab communities, to arrange and conduct a plebiscite, under the supervision of the Administering Authority, to determine the acceptability of such plan to the people of Palestine.

2. Any plan which is approved by a majority of the registered members of both the Arab and Jewish communities of Palestine shall be submitted to the General Assembly for its approval.

3. This trusteeship agreement will terminate as soon as the General Assembly has approved a plan of government in accordance with paragraph 2 above and a government [or governments] has [or have] been established thereunder.

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**E 4077**

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**1948**

PALESTINE

1 APR 1948

Palestine Situation, Security Council

Registry Number } E4077/4/31

**FROM**  
Trafford Smith  
New York

No. 52/372/48  
Dated to Mr. Beeley

Received in Registry } 22nd March  
1 April

Refers to Mr. Beeley's letter dated March 9th at (E3292/4/31) Now transmits detailed replies to points raised in letter under reference with regard to the present situation in the Security Council over the Palestine question.

**Last Paper.**

4069

(Minutes.)

HB. 1/4

**References.**

(Print.)

(How disposed of.)

(Action completed.)

7/11/44

(Index.)

3/12/48

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UNITED KINGDOM DELEGATION TO THE UNITED NATIONS  
EMPIRE STATE BUILDING  
NEW YORK 1, N. Y.

TELEPHONE:  
LONGACRE 5-2070

No. 52/372/48

E 4077

1 APR 1948

22nd March, 1948.

PERSONAL AND CONFIDENTIAL

*My Dear Harold,*

I have now discussed your letter of 9th March with members of the Permanent Delegation concerned with Palestine and am able to offer the following comments.

2. As you will have seen from our telegrams ending with No. 915 (Top Secret) of 18th March, the Russians do not seem to have been deterred, by the limitations of the Permanent Members' terms of reference in the resolution of 5th March, from maintaining that it is the duty of those members to advise the Security Council that the situation in Palestine already constitutes a threat to the peace. We, for our part, do not see how any or all of the Permanent Members could be debarred from so advising the Security Council if they saw fit, though, as you will have seen from our telegrams, that is not the present intention of the United States, French and Chinese representatives.

3. Gromyko's position, as you suggest, rests upon the contention that the consultation between the Permanent Members should be regarded merely as an exercise of their normal rights and duties under the Charter, and that it cannot be fettered in scope by any more specific mandate which the Council may see fit to give them. We would ourselves subscribe to this doctrine; and we do not think that we should be on sound ground in arguing that any consultations between Permanent Members under Article 106 of the Charter (which the recent consultations were not) were invalidated by the absence of one of the Permanent Members, particularly since

- (i) it is now accepted - for what the analogy is worth - that the absence or abstention of a Permanent Member does not invalidate a decision of the Security Council itself under Article 27, and
- (ii) it does not seem to follow from the wording of Article 106 that consultation under that Article must take place among all the five Permanent Members simultaneously.

H. Bealey, Esq., C.B.E.,  
Eastern Department,  
Foreign Office,  
London, S. W. 1, England.

/As....

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4. As regards the fourth paragraph of your letter, I agree with you that it is no use trying to read too much logic into the proceedings of the Council. As far as we can make out, the answers to the specific points which you raise are

- (i) Faris El Khoury presumably voted for the Belgian amendment because it was expressly designed not to prejudge the question of partition. Presumably there is nothing offensive to the Arabs in the Security Council considering whether the situation in Palestine represents a threat to the peace, since they contend that such investigation would show that any such threat can only be due to the illegal and bellicose activities of the Jews. It is certainly surprising, however, that the Syrian representative voted in favour of sub-paragraph (a), which proposed that the Permanent Members should make recommendations "regarding the guidance and instructions which the Council might usefully give to the Palestine Commission", and also sub-paragraph (c) which required them to "consult ... concerning the implementation of the General Assembly recommendation". But we can only suppose that the Syrian representative hoped that the result of the Permanent Members' investigation would be to show that no "guidance and instructions" could be given to the Commission without further exacerbating the situation, and that the result of the Permanent Members' consultation would thus be a kind of reductio ad absurdum of the partition plan.
- (ii) As regards Nisot's vote for the first operative paragraph of the amended United States resolution, this was perhaps influenced by Parodi's line that there was really not so much difference between the United States and Belgian proposals as appeared at first sight and that, while he preferred the latter, he would vote for the former rather than nothing at all. Incidentally, Nisot, who (I am informed) is an intelligent but fussy little man, complained to us rather peevishly during the debate that it was very difficult to frame a policy without having the least idea what the United Kingdom really wanted (I need not tell you that we sometimes feel much the same ourselves!).
- (iii) As regards the Soviet Delegation's attitude to the United States draft resolution after it had been amended in consultation with them, the position seems to be that the Russians did not concur in any part of the revised draft of para. 2 except sub-para. (a) as it appears on page 34 of S/P.V./263. We confess to being baffled by the Soviet abstention on sub-paragraph (b); their abstention on sub-paragraph (c) is, however, intelligible in view of their

/insistence

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insistence that any consultation with the Jews and Arabs about implementing the Assembly resolution would be the thin end of the wedge as regards abandoning the partition plan, of which Gromyko seems to have cast himself as a lonely champion.

- (iv) As regards Stavropoulos' views quoted in the fifth paragraph of your letter, I daresay he is right in believing that the Council would think very hard before declaring the situation in Palestine a threat to international peace, partly because this would show up the Council's inability to take any of the more drastic measures which would in that event be theoretically within its power, and partly because, in the peculiar circumstances of Palestine, it is not obvious that there is a threat to peaceful relations among any particular States, as opposed to groups of the population of Palestine. On the other hand, the Council may yet find itself forced by events to make such a determination; and you will have seen from paragraph 4(iv) of our telegram No. 906 of 17th March that the Americans intend, if only for appearance' sake, to conjure with Articles 39 - 42 of the Charter in the hope of keeping the ring clear for their new Trusteeship policy.

*Yours ever*

*Trafford Smith*

(Trafford Smith)

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<p>E HO94/H/E 31/G FO. Minute: Mr. J. Henniker. March 24th.</p>	<p>Palestine: Canadian Policy.</p>	
<p>Last Paper EHO93</p>	<p>(Minutes)</p> <p>Also within:</p>	
<p>References EHO42/4/31 EHO11/4/C</p>	<p>1) Tel. no. 286 of March 25th. from A.P. in Canada to C.R.O.</p> <p>See also Canadian note &amp; minutes at E 4042/4/31 and tel. to UK Deput N.Y. at E 4011/G.</p> <p style="text-align: right;">D.B. alpin 1/4</p>	
<p>(Print)</p>	<p style="text-align: right;">H.B. 1/4</p>	
<p>(How disposed of)</p>	<p>2) Tel. to Canada no. 291 of March 25</p> <p style="text-align: right;">D.B. 1/4</p>	
<p>(Action completed) [Signature]</p>	<p>(Index) [Signature]</p>	
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PRIME MINISTER

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PALESTINE

The telegram of which a copy is enclosed arrived this morning from our High Commissioner in Canada. It requires an early reply if it is to reach Mr. Mackenzie King before the resumption of the Security Council discussions on Tuesday. I fear, therefore, that it is necessary to trouble you in the matter at once.

The accompanying draft reply has been prepared for your consideration by the Foreign Office, Colonial Office and Commonwealth Relations Office in consultation. May we have your instructions?

I am sending a copy of this minute and the enclosures to the Foreign Secretary also, in case you and he should wish to discuss the matter before reaching a decision.

*(Signed)*

*Eric Mackay.*

26th March, 1948.

Commonwealth Relations Office.

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IMMEDIATE. TOP SECRET AND PERSONAL.

Following from Machtig.

The message conveyed in your telegram No. 286 has been considered by the Prime Minister and the Foreign Secretary. You have their authority to communicate the following ~~copy~~ privately to Mr. Mackenzie King.

DRAFT TELEGRAM.

UKREP OTTAWA.

In doing so, you should express our appreciation of his action in consulting us, and of his helpful attitude.

2. <sup>Begins.</sup> In view of the statements made by President Truman at his Press Conference on the 25th March, we are by no means certain that the United States Delegation will move resolutions in sense of Senator Austin's last speech in the Security Council. Furthermore, we are not informed as to the details of the plan of trusteeship mentioned in that speech.

3. Nevertheless, the proposal is clear enough in outline, and we agree with Mr. Mackenzie King that it seems likely to be no less impracticable than the proposal for partition to which the General Assembly committed itself on the 29th November. We can see no prospect of any form of trusteeship which would command the consent of both communities in Palestine. In any form, therefore, a trusteeship would have to be enforced by military means. His Majesty's Government in the United Kingdom, as they have repeatedly declared, will not permit the use of British forces to coerce either community in Palestine. Without British participation, and in view of the obvious

/reluctance

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reluctance of the United States to inherit British responsibilities in Palestine, there seems to be no prospect of effective enforcement action.

4. On the other hand, we feel that there is much to be said for St. Laurent's view that matters cannot be allowed to drift. The prestige of the United Nations would be seriously damaged if it remained committed to the present partition plan while no attempt was made to enforce it. We consider, therefore, that the United Nations should take steps to bring its own actions with relation to Palestine into closer conformity with practical possibilities and with the probable course of events. It seems unlikely that this can be done by the Security Council, owing to the constant threat and probable use of the Soviet veto. So far as we can judge at present, therefore, a special session of the Assembly seems desirable from the point of view of the United Nations itself. Ends.

5. <sup>For your guidance,</sup> ~~We~~ understand, from Norman Robertson, that the present instructions of the Canadian delegate on the Security Council give him discretion to vote in favour of the special session although he is to abstain on all other parts of the proposed American resolution. The effect of our advice in the preceding paragraphs is thus to confirm the general line of the Canadian Government's present instructions to their delegate.

*W.D.*

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96

This is an unparaphrased version of a Secret cypher (typex) message and the text must first be paraphrased if it is essential to communicate it to persons outside British and United States Government Services.

### Inward Telegram to Commonwealth Relations Office

CYPHER (TYPEX)

FROM: The U.K. High Commissioner in  
Canada.

D. Ottawa 25th Mar., 1948, 7.42 p.m.  
R. 26th " " 4.15 a.m.

IMMEDIATE

No. 286 TOP SECRET AND PERSONAL.

Decypher yourself.

Following for Machtig.

I have received urgent and very private approach from highest quarters here in regard to Palestine.

2. It appears that Cabinet are divided as to attitude to be adopted towards United States Trusteeship proposal. One group of Ministers (including St. Laurent) is in favour of backing it on ground that positive action is needed and matters cannot be allowed to drift. Another group (headed by Prime Minister) feels that Trusteeship proposal is likely to give rise to much the same difficulties over implementation as partition proposal and that it would therefore be very foolish for Canada to associate herself with new American move at least until proposal has been clarified and it can be seen whether conditions in which it might be workable are at all likely to be fulfilled.
3. So far latter group have succeeded in holding position hence concluding paragraph of General McNaughton's statement at Security Council yesterday, but pressure on them to support Americans is being renewed. In particular strong arguments are being advanced (which Prime Minister himself discounts but may be unable to resist) that whether proposal is in fact a practicable one or not the main objective must be to get the Americans more and more deeply committed in the Palestine situation, this objective will be achieved if they are backed now whereas if Canadians and others abstain the greater the risk of the Americans cooling off and of a vacuum being left when we withdraw from the country.

4. In/

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VIV E From

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97

**Outward Telegram from Commonwealth Relations Office**

F.A. & U.N. DEPT.

CYPHER (TYPEX)

To: U.K. High Commissioner in Canada  
(Sent 5.20 p.m., 27th Mar., 1948.)  
-----

IMMEDIATE

No. 291 TOP SECRET & PERSONAL

Following from Hachtig.

The message conveyed in your telegram No. 286 has been considered by the Prime Minister and the Foreign Secretary. You have their authority to communicate the following privately to Mr. Mackenzie King. In doing so, you should express our appreciation of his action in consulting us and of his helpful attitude.

2. Begins. In view of the statements made by President Truman at his Press Conference on the 25th March, we are by no means certain that the United States Delegation will move resolutions in sense of Senator Austin's last speech in the Security Council. Furthermore, we are not informed as to the details of the plan of trusteeship mentioned in that speech.

3. Nevertheless, the proposal is clear enough in outline, and we agree with Mr. Mackenzie King that it seems likely to be no less impracticable than the proposal for partition to which the General Assembly committed itself on the 29th November. We can see no prospect of any form of trusteeship which would command the consent of both communities in Palestine. In any form, therefore, a trusteeship would have to be enforced by military means. His Majesty's Government in the United Kingdom, as they have repeatedly declared, will not permit the use of British forces to coerce either community in Palestine. Without British participation/

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participation, and in view of the obvious reluctance of the United States to inherit British responsibilities in Palestine, there seems to be no prospect of effective enforcement action.

4. On the other hand, we feel that there is much to be said for St. Laurent's view that matters cannot be allowed to drift. The prestige of the United Nations would be seriously damaged if it remained committed to the present partition plan while no attempt was made to enforce it. We consider, therefore, that the United Nations should take steps to bring its own actions with relation to Palestine into closer conformity with practical possibilities and with the probable course of events. It seems unlikely that this can be done by the Security Council, owing to the constant threat and probable use of the Soviet veto. So far as we can judge at present, therefore, a special session of the Assembly seems desirable from the point of view of the United Nations itself. Ends.

5. For your guidance, we understand, from Norman Robertson, that the present instructions of the Canadian delegate on the Security Council give him discretion to vote in favour of the special session although he is to abstain on all other parts of the proposed American Resolution. The effect of our advice in the preceding paragraphs is thus to confirm the general line of the Canadian Government's present instructions to their delegate.

C.R.O.(A)

Prime Minister's Private Secretary  
Foreign Office  
Colonial Office

P.S. to Mr. Gordon-Walker  
P.S. to P.U.S.  
Mr. Shannon  
Sir A. Carter  
Mr. Syers  
Mr. J.B. Hunt (6)  
P.S. to Foreign Secretary  
P.S. to Secretary of State

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E 4165 98

2 APR 1948

Registry Number E4165/4/31

TELEGRAM FROM United Kingdom Delegation

No. Dated NEW YORK 1027

Received in Registry 1st April 2nd "

Security Council Meetings.

Refers New York telegram No, 1014 dated 30th Mch (E4065/4/31). Security Council carried both United States resolutions. Discussion followed on future procedure. Special Assembly will be summoned for April 16th. President undertook to approach representatives of Arab Higher Committee and Jewish Agency and will cinvoke Council either when ready to report progress ar when United States is in a position to submit trusteeship proposals. For framing of letter Austin invited all delegations to meet informally Monday afternoon April 5th.

Last Paper.

4123

References.

(Print.)

(How disposed of.)

Whitcomb, 00  
Sherman Baboff  
Scherr M.I.F  
M-1.3a.  
M.O.14  
Admty  
AM

Apr 2.

P.S.O.

(Action completed.)

(Index.)

*[Handwritten signatures and initials]*

Next Paper.

4173

(Minutes.)

Sir A. Badogian will presumably attend or be represented at the meeting which Senator Austin has convened for Monday (end of paragraph 3 within). He has not asked for instructions and it would be difficult to draft any without a clearer indication of the agenda. I suggest that we leave the handling of this first meeting to Sir A. Badogian's discretion.

H. B. Celey 2/4

BAB. Johnson 2.4

McLoughlin 3.4

Mr. P. ... 3/4

Mr. P. ... 5.4

See within. New York telegram N° 1033 of 2<sup>nd</sup> April.

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(tel). New York 1373.

✓  
April 2<sup>nd</sup>

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En clair

WORLD ORGANISATION DISTRIBUTION.

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No.1027.

D. 9.08 p.m. 1st April, 1948.

1st April, 1948.

R. 5.30 a.m. 2nd April, 1948.

Repeated to Jerusalem,  
Washington.

IMMEDIATE.

GIANT.

LIGHT

E 4165

2 APR 1948

Addressed to Foreign Office telegram No.1027 of

1st April, repeated for information to Jerusalem and  
Washington.

My telegram 1014.

Palestine.

Security Council carried both United States resolutions this afternoon first in regard to truce unanimously after deletion of "with grave concern" proposed by Tarasenko (Ukraine). U.S.S.R. and Ukraine abstained on second resolution proposing Special Assembly which received 9 votes.

2. Discussion followed on future procedure. Special Assembly will be summoned for April 16th. Council agreed without a vote that it could be left to discretion of Palestine Commission to proceed only with study of its problems abstaining from practical measures. Gromyko insisted that Council could not instruct Commission to suspend activities and Faris Bey (Syria) explained that he had voted for Special Assembly only on assumption that Commission would be suspended.

3. President undertook to approach representatives of Arab Higher Committee and Jewish Agency and will convoke Council either when ready to report progress or when United States is in a position to submit trusteeship proposals. For framing of latter, Austin invited all delegations to meet informally in his office on Monday afternoon April 5th.

4. For summary of discussion see my immediately following telegram.

Foreign Office please pass immediate to Jerusalem as my telegram No.255.

[Copy sent to Colonial Office for repetition to Jerusalem].

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NOTHING TO BE WRITTEN IN THIS MARGIN.

3149 Wt. 26469/137 100m 9/46 (51) F.&S.

Registry No. E

Top Secret.
Secret.
Confidential.
Restricted.
Open.

Draft.

UK Delegation  
New York

Telegram.

No. 1373  
(Date) Apr 3<sup>rd</sup>

Repeat to:—

En Clair.  
Code.  
Cypher.

Distribution:—

Files

Copies to:—

100

F.O. 44

**IMMEDIATE**

194 .

Despatched 7 4 49 M.

~~Draft~~  
Immediate

~~Addressed to UK Delegation New York telegram no. 1373~~

Unless you have already done so, please send (by post by the) full text of Senator Austin's speech in the Security Council on the 1st April

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FILES

FROM FOREIGN OFFICE TO NEW YORK.

( To United Kingdom Delegation to United Nations).

No. 137b.

2nd April, 1948. D. 7.44 p.m. 2nd April, 1948.

IMMEDIATE.

Unless you have already done so, please send by fast bag the full text of Senator Austin's speech in the Security Council on the 1st April.

O:O

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En Clair

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FILES

FROM NEW YORK TO FOREIGN OFFICE INDEXED

(From United Kingdom Delegation to United Nations)

No.1033 D. 4.46 p.m. 2nd April, 1948  
2nd April, 1948 R.11.22 p.m. 2nd April, 1948.

IMPORTANT

Your telegram No.1373.

Three copies S/PV/277 containing speech  
despatched by bag E81 today.

k k



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E 4173

103

1948

2 APR 1948

Registry Number E4173/4/31

TELEGRAM FROM United Kingdom Delegation NEW YORK Dated 1028

Received in Registry 1st April 2nd "

Security Council Meetings.

Refers New York telegram No, 1027 dated 1st April (E4165/4/31). Transmits texts of speeches made in Security Council on 1st April, when United States resolutions were debated and carried.

Last Paper.

4165

(Minutes.)

413 5/14

References.

(Print.)

(How disposed of.)

S. Wathlman, B.O. Adelman Bah Off Adress M15 M.I. 2a. M.O. 4 Admty Aul. April 2

(Action completed.)

pp 6/4

(Index.)

pp 6/4

Next Paper.

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En Clair

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No.1028  
1st April, 1948.

D. 10.02 p.m. 1st April, 1948.

R. 4.40 a.m. 2nd April, 1948.

Repeated to Jerusalem,  
Washington.

IMMEDIATE  
GIANT  
LIGHT

4173  
2 APR 1948

Addressed to Foreign Office telegram No.1028 of  
1st April repeated for information to Jerusalem and  
Washington.

My immediately preceding telegram.

Palestine. Security Council.

Arce (Argentine) stated that the position of his delegation remained unchanged. He could support nothing but an agreed solution and appealed to Arabs and Jews to show spirit of give and take required to reach one. United States proposals were not inconsistent with Assembly resolution, and he would vote in favour.

2. Nisot (Belgium) pointed out that, since Council had decided it could not accept Assembly's request to take steps to implement plan, it was under obligation to convene and report to Sepcial Assembly. He would therefore vote for United States resolutions. Summoning of Special Assembly should not preclude Council from continuing to study possible solution.

3. Shertok (Jewish Agency) followed with long bitter speech recapitulating Agency's views on current role of Arab States, Mandatory Power and United States.

4. United States presentation of resolution was misleading. Disorder in Palestine was not purely local or equally responsibility of Arabs and Jews. Principal factor was blatant aggression from outside publicly sponsored by Arab States for purpose of altering Assembly plan by force and intimidating United Nations. Mandatory Power had abdicated responsibility and become "mere reporter of incursions"

5. Arab aggression raised two questions in regard to United States resolution for truce, whether it was legitimate (1) for member states to use force against carrying out of Assembly resolution; (2) for Council, having received conclusive evidence of aggression, to take no steps to suppress or even condemn it. Agency and Palestine Jewry wholeheartedly favoured ending violence, but could only sign truce if Arab invaders withdrew. Arab Higher Committee could not in/...

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New York (UKDEL) Telegram No.1028 to Foreign Office.

- 2 -

could not in any case pledge truce on behalf of real aggressors in Palestine, Arabs from outside. Agency would however be prepared to negotiate with Higher Committee truce for Jerusalem, sole area where Committee was in control. Truce without adequately armed supervising authority was in any case unrealistic. Resolution should be amended to conform with realities of situation, i.e. foreign aggression.

6. As regards resolution proposing Special Assembly, Council had not yet tackled implementation of Assembly resolution for which Agency had submitted specific ninepoint plan. Assembly had in no sense specified that implementation must be peaceful, and Council should build force to defend peace. Notwithstanding passive rôle of United Kingdom forces in Palestine, obstructiveness of Mandatory Administration, provision by United Kingdom of arms to Arab aggressors and obstruction of Palestine Commission, Jewish State was in fact being born. Trusteeship represented postponement of independence intolerable to both Arabs and Jews. With no assurance who would be Trustee, whether adequate force would be available or either community would co-operate, trusteeship was a leap in the dark. Council should revert to Assembly plan.

7. Sertok concluded with plea for Jerusalem. If international régime were not implemented Jews would themselves do their utmost to save city from "monstrous tyranny". City would become battlefield and possibly a shambles. If it did nothing else, let United Nations provide security force for Jerusalem.

8. Fawzi (Egypt) repudiated Jewish charges of complicity of Arab States in Palestine violence. If proposed truce meant pause while partition was enforced, Arabs were inflexibly opposed. Arabs desired peace in Palestine, but three factors militated against it:

- (1) Continued work of Palestine Commission for implementation of partition.
- (2) Statements by Jewish Agency that Jews would continue with implementation whatever happened.
- (3) Jewish campaign for volunteers and financial support e.g. in United States.

If however truce meant establishment of order, Arabs were in favour.

9. I then made speech as instructed in your telegram No.1358.

10. Faris Bey/....

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New York (UKDEL) telegram No.1028 to Foreign Office.

- 3 -

10. Faris Bey (Syria) said that he would support resolution for Special Assembly to repair blunder of past Assembly. He saw dangers in truce proposals, since Jews would not agree if partition timetable were interfered with, while Arabs would not unless partition were abandoned. He strongly denied Jewish accusations against Syria and undertook that Arabs would continue to protect Holy Places.

11. Austin concluded discussion with strong plea that sole purpose of truce was to stop hostilities and save life. It was clear from Article 80 of Charter (which had been framed at San Francisco in accordance with Zionist wishes to protect rights of national home) that until trusteeship agreement had been concluded nothing could alter rights or terms of existing international agreements. He most earnestly pleaded for unanimous vote in favour of truce.

Foreign Office please pass Immediate to Jerusalem as my telegram No.256.

[Copy sent to Colonial Office for repetition to Jerusalem].

QQQQQ

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E 4188

107

2 APR 1948

Registry Number } E4188/4/31

FROM United States Embassy  
No. Communicated

Dated  
Received in Registry } 2nd April

Palestine Situation.

Transmits text of telegram from Mr. Marshall to American Embassy in London, discussing recent United States proposals for a Trusteeship in Palestine, and suggesting that informal talks should take place with British leaders with a view to developing the most acceptable type of trusteeship in light of present conditions.

(Minutes.)

213.51  
4

Last Paper

4/85

References

(Print)

(How disposed of)

(Action completed)

18/6/4

(Index)

*[Handwritten signature]*

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4190

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SECRET

INCOMING TELEGRAM

FROM: STATE DEPARTMENT  
TO: AMERICAN EMBASSY LONDON  
March 26, 1948

E 4188

2 APR 1948

Sent London; repeated US UN.

Department regrets (Embassy telegram March 24) that FO has instructed Cadogan to tell US Delegate UN that while HMG sympathizes with motives US Government in making further attempt to avert Civil War Palestine, it is not possible for HMG to depart in SC from its neutral attitude.

Department suggests Ambassador Austin's statement February 26, his two statements March 19 in SC, particularly latter, and Secretary's statement March 20 in Los Angeles re Palestine, clearly indicate constructive line which US Government is following in UN in endeavor to prevent strife in Palestine and to create conditions under which it might be possible for Jews and Arabs in Palestine to reach agreement by peaceful means.

The President made statement March 25 on Palestine which further confirms constructive line US Government is following at UN.

Statements by President, Secretary and Ambassador Austin to which reference is made, as well as official statements of HMG at UN and in London do not indicate, in Department's opinion, nor could such contention seriously be maintained in press, that "State Department and FO together have been concocting settlement unfavorable Jewish State." It would appear, on other hand, that future support by HMG in SC for measures proposed by US Government to prevent strife in Palestine and make agreement possible would be in accord with HMG's traditional policies and would meet with favor in world press.

While Department realizes necessity for immediate interim arrangements for Jerusalem and Holy Places, it is suggested that it would be difficult to make any arrangements for Jerusalem without at same time considering

SECRET

/arrangements

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SECRET

- 2 -

arrangements for Palestine in its entirety, as became apparent when TC considered Jerusalem regime under Partition Plan. Fonoff (Embassy telegram March 23) tacitly admits this fact by indicating that Jewish population of Jerusalem can be throttled by steps taken elsewhere in Palestine.

During recent years many proposals re possible Trusteeship agreements have been given consideration publicly and privately. Department feels certain HMG has constructive suggestions in this respect. Department has given thought and study to this matter and stands ready informally to discuss draft agreements with HMG for purpose of developing most acceptable type of Trusteeship agreement in light of present conditions.

Department believes any discussion re Trusteeship must of necessity take into consideration the following three types:

- A. Single administering powers.
- B. Two or more administering powers.
- C. UN as administering authority.

Department does not consider first two as feasible under present circumstances because of political and military difficulties, but believes that Trusteeship with UN as administering authority would meet with greater approval in the UN and with greater success in Palestine. All types of Trusteeship would in any event provide for Governor General with broad powers acting within framework of Trusteeship Agreement under TC.

Trusteeship with UN as administering authority might provide that Governor General could call on one or more powers, such as principal allied and associated powers of World War I, to furnish emergency forces under specific circumstances either in event local forces were not adequate for maintenance of internal law and order, or to maintain integrity of Palestine against external aggression.

Governmental administration would be detailed in Trusteeship Agreement to provide early working basis for

/independence.

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SECRET

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- 3 -

independence.

Financial cost of such Trusteeship, including security forces for maintenance of internal law and order would be borne by peoples of Palestine. Financial cost of security forces for maintenance of International Law and order, should such be required, would be borne by members of the UN supplying them, or possible pro rata among all members.

It would seem to Department that informal discussions by HMG with responsible British leaders along lines of foregoing would dispel fears that the UN or any of its members were attempting to tie HMG up in new agreement which would merely be a continuation of present Mandate.

MARSHALL

SECRET

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E 4198

661

3 APR 1948

Registry Number } E4198/4/31

FROM Foreign Office Minute No. Mr. Wright

Dated 25th Feb  
Received in Registry } 3rd Apr

Statute for Jerusalem, Equality in use of English and French languages.

In course of conversation with French in Paris on February 16th -19th M. Bonneau, expressed concern that the equality of the use of the English and French languages as laid down in the future Statute of Jerusalem might in practice not be fully observed.  
He was informed that the matter would be looked into in London.

Last Paper

4188

(Minutes.)

References

*In P.P. F.O. Minute W Balfour 26/3*

*HAB 5/4*

(Print)

(How disposed of)

*sent Ashby Clarke Paris from Mr Wright 1 Apr*

(Action completed)

*9/4/48*

(Index)

*AB*  
*3/2/48*

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Reference:-  
**FO 371 / 68540**

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In the course of the talks with the French in Paris on February 16th - 19th M. Bonneau, the Director for the Middle East and North African Division of the Quai d'Orsay, expressed concern that the equality of the use of the English and French languages as laid down in the future Statute of Jerusalem might in practice not be fully observed. He was informed that the matter would be looked into in London.

What is the present position?

E 4198  
3 APR 1948

marksight

25th February, 1948.

Eastern Department.

The U.N. Assembly resolution of 29th November (Partition of Palestine) covers the language question in paragraph C10 of Part III, where among the provisions of which the substance must be incorporated in the detailed Statute for the City of Jerusalem, the following is included:-

"Official languages. Arabic and Hebrew shall be the official languages of the City. This will not preclude the adoption of one or more additional working languages, as may be required."

In accordance with the above, the following provisions <sup>was</sup> included in the draft Statute prepared by the Working Committee on Jerusalem:-

"Article 30 - Official and Working Languages.

Arabic and Hebrew shall be the official languages of the City. English and French shall be recognised as additional working languages, and shall be used on the basis of absolute equality in the administration of the City."

This Draft Statute is now being discussed by the Trusteeship Council which must "elaborate and approve" it. The Council is going through the Draft article by article and has not yet reached Article 30, though it may do so in the course of this week. The U.K. delegate has signified his agreement to the draft, and neither we nor the Colonial Office have any reason to think that any delegate will ask for this clause to be changed.

Such incomplete reports as we have of the discussion of this article on the Working/

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PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68540

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Minutes.

on the Working Committee indicate that the Australian and Chinese delegates were not keen on giving the French language equality with English, and the French delegate, M. Garreau, had to make a special effort of eloquence to obtain the adoption of French on a footing of equality on the grounds that "French had for a long time been in use among educated people in several countries of the Near East and was widely used in Law Courts". *That he did obtain "absolute equality"* was, in fact, a considerable and somewhat surprising achievement, considering that in Palestine today French is very much less current than English, so that its use for anything but communications with the Latin Catholics and with U.N.O. will not be justified by real practical necessity. Perhaps M. Bonneau's remarks are promoted by nothing more than due consciousness of a great advantage gained with comparative ease, and by anxiety to retain it.

RECORDED IN C.B.  
26 FEB 1948  
SENT TO C.B.

- As far as our responsibility is concerned, we can tell him that:-
- (a) we do not intend to do anything to have Article 30 of the Draft Statute modified by the Trusteeship Council, but
  - (b) the future implementation of the Jerusalem Statute will not be our responsibility, since the Statute does not come into force until after the British withdrawal; those responsible ~~will be~~ the U.N. Organisation and the Governor of Jerusalem.

*D. Balfour*  
26th February, 1948.

*W.A. Dept 12*  
*B.H. Bonneau*  
*26.2*

NOTHING TO BE WRITTEN IN THIS MARGIN.

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43

The U.N. Assembly resolution of 29th November (Partition of Palestine) covers the language question in paragraph C,10 of Part III, were among the provisions of which the substance must be incorporated in the detailed Statute for the City of Jerusalem, the following is included:-

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114

The U.N. Assembly resolution of 29th November (Partition of Palestine) covers the language question in paragraph C,10 of Part III, were among the provisions of which the substance must be incorporated in the detailed Statute for the City of Jerusalem, the following is included:-

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Registry  
No.

CONFIDENTIAL

115

FOREIGN OFFICE,

S. W. 1.

Draft. letter

March, 1948.

Confidential

Mr. Ashley Clarke  
Paris.

(My dear Ashley),

From Mr. Wright.

When I was in Paris Bonneau expressed concern that the equality of the use of the English and French languages as laid down in the future Statute of Jerusalem might not in practice be fully observed. I told him that the matter would be looked into in London. I now enclose a copy of a minute from the Department on the subject. Please use your discretion whether or not to speak to Bonneau on these lines.

HTL

2.3.

P.S. I regret that owing to a clerical error this letter, drafted approved for despatch on March 2nd, was ~~not sent off~~ mislaid. I send it to you nonetheless, if only for record.

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3 APR 1948

Registry Number E4202/4/31

TELEGRAM FROM

United Kingdom  
No. Delegation  
NEW YORK

Dated 1031

Received in Registry 2nd April  
3rd "

Attitude to be adopted regarding Trusteeship.

Refers New York telegram No. 1028 dated 1st April (4165/4/31) Asks instructions as to attitude to be adopted towards proceedings in regard to drafting of Trusteeship agreement. Asked whether, at informal drafting meeting, we should take a more lively part (with delegations in our confidence) than attendance purely for factual evidence. United States delegation will no doubt ask for our views, what reply should be given?.

Last Paper.

4198

(Minutes.)

See E 4203

References.

H73. 5/14

(Print.)

(How disposed of.)

W. W. Whitham, 80  
R. Herman, Sub Off  
Scherr 14.1.5  
M. J. Pa  
M. O. Y  
Adams  
Aunt  
April 5

(Action completed.)

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10/16/4

(Index.)

10/12/4

Next Paper.

4203

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E118

Cypher/OTP

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 1031

2nd April, 1948.

D. 1. 50 p.m. 2nd April, 1948.

R. 8. 05 p.m. 2nd April, 1948.

Repeated to Washington  
Jerusalem

IMMEDIATE  
CONFIDENTIAL  
LIGHT  
GIANT

E 4202

3 APR 1948

Addressed to Foreign Office telegram No. 1031 of 2nd April repeated for information to Washington and Jerusalem.

My telegram No. 1027: Palestine.

I should be grateful for instructions as to attitude I should adopt towards proceedings in regard to drafting of Trusteeship agreement.

2. Subject to your views I would propose to send Lawford (as I shall be making a speech in Canada on Monday, April 5th) to represent me at informal drafting meeting mentioned in paragraph 3 of my telegram under reference. It would be explained that our attendance at this and future meetings was solely for the purpose of giving factual advice as we have done over the framing of Jerusalem statute and was without prejudice to His Majesty's Government's attitude towards idea or terms of a trusteeship.

3. But I should be glad to know whether we can go further than this, in private conversation, at any rate with delegations in our confidence i.e. Americans, French and Canadians. United States Delegation will no doubt ask us for our views on draft agreements communicated to you through Washington Embassy and I should be glad to know what, if anything, we should say to them about the terms themselves and particularly the suggestion (which you will have seen is spelt out in the second United States draft) that United Kingdom, and United States and France should be the trustees if it is decided not (repeat not) to place the trust in the hands of the United Nations as an organisation.

4. I presume that there is no change in the attitude of His Majesty's Government regarding provision of any force in Palestine and that we must make it plain that our evacuation plan will be adhered to.

5. I am considering United States draft agreements in detail and may telegraph further.

Foreign Office please repeat to Jerusalem important as my telegram No. 257.

[ Copy sent to Colonial Office for repetition to Jerusalem ]

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E 4203

3 APR 1948

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Registry Number E4203/4/31

TELEGRAM FROM

United Kingdom  
No. Delegation.  
NEW YORK

Dated 1053

Received in Registry 2nd April  
3rd "

Informal Meeting April 5th to discuss Trusteeship.

United States delegation now inform that they do not intend to present any drafts at meeting, which will be merely for the purpose of exchange of ideas. Gives list of matters that they propose to discuss. They also intend to ask United Kingdom delegation whether Cyprus will continue to be available after May 15th for the accomodation of illegal immigrants. They will also request information as to status of project discussed some years ago for settlement of displaced Jews in British Guiana. Gives list of legal points likely to be put.

Last Paper.

4202

(Minutes)  
See also E 4202  
Incl. sent to N.Y.

H73 5/4

References.

(Print.)

(How disposed of)  
8) Mr. Malleson, C.O. (Spec Pers)  
April 5  
Mr. Malleson, C.O.  
Aberman Sub off  
Lakers, M.I.S.  
M.I. 2a.  
1104  
Admty  
Jan  
April 5  
Tel. New York 1391 April 3.  
at as above Apr 5.

(Action completed.)

7/11/48

(Index.)

3/12/48

Next Paper.

E 4204

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3

Let, New York.

1393

Rptd W. Pan 3724

April 5.

8. As above.

April 6.

Tel) New York 1422

Rptd) W. Pan 3807

April 7.

8) e.o.

as above

April 9.

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Cypher/OTP

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 1035

2nd April, 1948

D. 8.07 p.m. 2nd April, 1948

R. 2.35 a.m. 3rd April, 1948

Repeated to Washington  
Jerusalem

IMMEDIATE  
CONFIDENTIAL

GLANT  
LIGHT

E 4203  
3 APR 1948

Addressed to Foreign Office telegram No. 1035 of  
2nd April repeated for information to Washington and  
Jerusalem.

My telegram No. 1031.

Palestine.

United States delegation now inform us that they do not  
propose to submit any drafts at meeting on April 5th, which  
will be merely for the purpose of exchange of ideas. They  
will, however, make oral suggestions. They propose  
that discussion should cover such matters as

- (I) designation of Administering Authority  
(i.e. one or more states or the United Nations itself)
- (II) security arrangements
- (III) immigration policy
- (IV) land sales
- (V) nature of governing authority.

2. United States delegation propose to ask us whether  
Cyprus will continue to be available after May 15th for  
accommodation of illegal immigrants (including such as  
may try to enter Palestine contrary to trusteeship settle-  
ment). They will also request information as to status of  
project discussed some years ago for settlement of displaced  
Jews in British Guiana. We presume the answer about  
Cyprus is no (repeat no) but should be grateful to know  
what we should say about Guiana project.

3. United States delegation hope that we shall be able  
to express views on points mentioned in paragraph 1 above.  
I presume, however, that you will wish United Kingdom  
representative to confine himself to giving factual infor-  
mation as hitherto.

4. In addition, however, there are legal points which  
seem likely to be put to us and to which I should be  
grateful for answers. These are:

(1) if we are asked our opinion as to who are  
the "states directly concerned" under Article 79, we should  
presumably reply that this is a matter for the Assembly to  
determine. It would, however, be useful to have your views  
on this point;

/ (2) no doubt you would

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Telegram No. 1035 from New York (U.K.Del.) to Foreign Office

- 2 -

(2) no doubt you would wish us to make clear, if the matter is raised, that the United Kingdom has no (repeat no) intention of indicating a desire to place Palestine under the trusteeship as suggested in preamble to United States draft trusteeship agreements;

if we are asked whether His Majesty's Government will be prepared as Mandatory Power to concur in a trusteeship agreement as required by Article 79, do you consider that we should reply that His Majesty's Government would be prepared to concur on the understanding that such concurrence would not imply the expression of any opinion on the proposal for trusteeship or on any other solution of the Palestine question but would merely be intended to avoid obstructing a solution favoured by majority of the Assembly.

Please repeat to Jerusalem Important as my telegram No. 258.

[Copy sent to Colonial Office for repetition to Jerusalem]

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*Disc*  
*Despatched 5.8.122*  
Immediate

Your ltr Nos 1031 and 1035 [of Apr 2: Palestine]

*probably*  
We shall be unable to send replies ~~to~~ before about 2 pm our time on Monday.

BAGB  
3.4

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123

En Clair  
Restricted.

FILES  
FROM FOREIGN OFFICE TO NEW YORK  
(To United Kingdom Delegation to United Nations  
No. 1391.  
April 3rd, 1948. D.5.8.p.m. April 3rd, 1948.

IMMEDIATE.  
Your telegrams Nos. 1031 and 1035 [of April 2nd: Palestine].  
We shall probably be unable to send replies before about 2.p.m. our time on Monday.  
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PUBLIC RECORD OFFICE

FO 371 / 68540

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*Minutes.*

It is recommended that we should reply to New York on the following lines:-

- (1) We agree that they should not take an active part in discussions at meetings with other Delegations on Trusteeship but should supply factual information.
- (2) In private conversation with the American Delegation and perhaps with other friendly Delegations they should call attention to the extreme difficulties we see in the idea of Trusteeship and in the American drafts on the lines set out above. We would have to realize that this might lead to a request for more positive suggestions from our side and we could tell the Delegation that we are trying to work out a plan of our own which might be communicated to the Americans at a suitable opportunity.
- (3) As regards the detailed points in telegram No. 1035 we should avoid expressing any opinion on the questions in paragraph 1. As regards Cyprus, we should say that this will not be available. As regards British Guinea, we should say that the scheme for settlement there never reached more than a theoretical stage, that we would be perfectly willing to consider any practical proposals which might be put to us, but that we can hardly believe that any such proposal would be acceptable to the Jews. The answers proposed by the Delegation to the questions in paragraph 4 of telegram No. 1035 seem to be generally right.

*BAB Brown*

3rd April, 1948.

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**CRYPTIC**

F.O.,

125

April 1948.

Despatched M.

Draft. H.B.  
U.K. Delegation  
New York.

MOST IMMEDIATE

SECRET

GIANT

Telegram.

No. 1393

(Date) April 5/4

Repeat to:—

Washington 3724

Jerusalem

Addressed to U.K. Delegation, New York, tel  
No. 1393 of April 5. Repeated for  
information to Washington and Jerusalem.

Your telegrams Nos. 1031 and 1035.

I agree that Lawford should attend the  
informal meeting this afternoon and should  
speak on the lines indicated in paragraph 2  
of your telegram No. 1031.

2. Your telegram No. 1035, paragraph 2.

If mention is made of the possibility that  
Cyprus might be used for the accommodation of  
illegal immigrants arriving after the 15th May,  
it should be made clear that H.M.G. are not  
(repeat not) prepared to consider any arrange-  
ment of this kind. If the question of Jewish  
settlement in British Guiana is raised, Lawford  
should say that the scheme for settlement there  
has not hitherto passed beyond the theoretical  
stage, but that we are willing to consider  
any practical proposals.

3. Our views on the problem of the

"States directly concerned" will be telegraphed  
to you as soon as possible. Meanwhile I agree  
with the reply you propose to give on this  
point (see your telegram No. 1035, paragraph  
4 (1)). I do not think it should be necessary  
at this stage to go so far as you propose  
(paragraph 4 (2)) in promising concurrence in a  
trusteeship/

NOTHING TO BE WRITTEN IN THIS MARGIN.

H. Bealey 5/4

J. B. ... 5/4

En Clair.

Code.

Cypher.

without  
5.4

Distribution:—

World Organi-  
sation.

the whole problem of  
settlement is under  
consideration with  
primary reference  
to the surplus  
population of British  
West Indian territories.  
It should add that we  
will of course look  
into the possibility of  
providing for Jewish  
settlers in Guiana,  
but he should be  
careful not to give  
the impression that much  
can be done.

100,000 0/47 A.S.E.V.Ltd. Gp.685

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*You should continue to confine yourself to providing factual information, and should avoid committing us to any form of settlement. We must bear in mind that we are in danger of being accused by the Zionists of working to upset the Assembly's previous decision.*

trusteeship agreement. This would seem inconsistent with the statement suggested in paragraph 2 of your telegram No. 1031 and approved in my ~~last~~ paragraph 1 above. I agree, ~~however~~ that ~~this~~

Lawford should make it clear that we do not propose to indicate a <sup>desire</sup> ~~design~~ to place Palestine under the trusteeship system.

4. I agree that we cannot offer opinions on the subjects listed in paragraph 1 of your telegram No. 1035, with the exception that, when the designation of the administering authority is discussed, the meeting should be informed that H.M.G. are not (repeat not) prepared to <sup>share</sup> ~~assume~~ the <sup>take part in</sup> ~~responsibilities~~ of a joint trusteeship to be exercised by a group of States. It should be explained that, in entering this reservation, they are not expressing an opinion on the relative merits of such a joint trusteeship and of a trusteeship administered by the United Nations themselves.

In either case the meeting should be left in no doubt that <sup>the</sup> British troops will not (repeat not) be available ~~after the 15th May~~ for giving support to any policy upon which the agreement of both Arabs and Jews has not been obtained.

5. I approve the suggestion that, in private conversations with the delegations with which you are on terms of confidence, you should feel free to comment upon the substance of specific proposals for trusteeship. Our views on the American draft to which you refer will be telegraphed to you as quickly as possible. ~~For your own information, we are trying to work out suggestions of our own which it may be possible to introduce into these private conversations at a later stage.~~

*We should however be emphasised that H.M.G. are in general disposed to accept any settlement adopted by the necessary majority to the General Assembly.*

*remaining in Palestine after the 15th May*

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CYPHER/OTP

E.

Secret.

WORLD ORGANISATION DISTRIBUTION

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to the United Nations)

No. 1,393.

D: 5.10 p.m. 5th April, 1948.

5th April, 1948.

Repeated to: Washington, No. 3724.  
Jerusalem.

MOST IMMEDIATE

SECRET

GIANT

Addressed to United Kingdom Delegation New York telegram No. 1,393 of April 5th repeated for information to Washington and Jerusalem.

Your telegrams Nos. 1031 and 1035.

I agree that Lawford should attend the informal meeting this afternoon and should speak on the lines indicated in paragraph 2 of your telegram No. 1031.

2. Your telegram No. 1035, paragraph 2. If mention is made of the possibility that Cyprus might be used for the accommodation of illegal immigrants arriving after the 15th May, it should be made clear that His Majesty's Government are not (repeat not) prepared to consider any arrangement of this kind. If the question of Jewish settlement in British Guiana is raised, Lawford should say that the whole problem of development is under consideration primarily with reference to the surplus population of British West Indian territories. He should add that we will of course look into the possibility of providing for Jewish settlers in Guiana but he should be careful not to give the impression that much can be done.

3. Our views on the problem of the "States directly concerned" will be telegraphed to you as soon as possible. Meanwhile I agree with the reply you propose to give on this point (see your telegram No. 1035, paragraph 4 (1)). But you should not at this stage go so far as you propose (paragraph 4 (2)) in promising concurrence in a trusteeship agreement. This would seem inconsistent with the statement suggested in paragraph 2 of your telegram No. 1031 and approved in my paragraph 1 above. You should continue to confine yourself to providing factual information, and should avoid committing us to any form of settlement. We must bear in mind that we are in danger of being accused by the Zionists of working to upset the Assembly's previous decision. I agree that Lawford should make it clear that we do not propose

/to indicate a

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F.O. telegram No. 1393 to New York Delegation.

-2-

to indicate a desire to place Palestine under the trusteeship system.

4. I agree that we cannot offer opinions on the subjects listed in paragraph 1 of your telegram No. 103b, with the exception that, when the designation of the administering authority is discussed, the meeting should be informed that His Majesty's Government are not (repeat not) prepared to take part in a joint trusteeship to be exercised by a group of States. It should be explained that, in entering this reservation, they are not expressing an opinion on the relative merits of such a joint trusteeship and of a trusteeship administered by the United Nations themselves. The meeting should be left in no doubt that in either case the British troops remaining in Palestine after the 15th May will not (repeat not) be available for giving support to any policy upon which the agreement of both Arabs and Jews has not been obtained.

5. I approve the suggestion that in private conversations with the delegations with which you are on terms of confidence, you should feel free to comment upon the substance of specific proposals for trusteeship. Our views on the American draft to which you refer will be telegraphed to you as quickly as possible.

5:0 1393

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Draft.

U.K. Delegation, New York.

Telegram.

No. 1422

(Date) April 7

Repeat to:

Washington 3807

*J.B. Burton*  
6.4

En-Clair.

Code.

Cypher.

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*V.O.*

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**IMMEDIATE**

Addressed to U.K. Delegation, New York, No. 1422 of April 7. Repeated for information to Washington.

My telegram No. 1393, paragraph 5, of 4/4/48: Palestine

The following are preliminary and general comments on the draft Trusteeship Agreements for Palestine communicated <sup>in strictest secrecy</sup> by the State Department to the Embassy in Washington.

2. These drafts provide that interim trusteeship would last until the Arab and Jewish communities in Palestine could agree upon a plan for complete self-government. In view of the present situation, there seems little reason to suppose that such agreement could be reached. The new administering authority would thus find itself in the position hitherto occupied by the British Administration in Palestine, and would be unable to <sup>bring its</sup> terminate ~~its responsibilities~~ because the essential condition for <sup>its fulfilment</sup> ~~their termination~~ was unrealisable. Thus the trusteeship would be "interim" in name only, and the Palestine problem in substantially its present form would continue to operate as a factor of disturbance in the Middle East.

3. The provisions for terminating the trusteeship would also <sup>presumably</sup> have the effect of ruling out once and for all the possibility of <sup>any form of</sup> partition. This <sup>would surely</sup> result in the rejection of the/

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the proposed trusteeship by the Jews. They ~~would~~<sup>might</sup> object to it on other grounds also, as for instance the provisions in Articles 16 and 17 (of the Three-Power draft) which in practice would mean that the formation of a Jewish Government was impossible.

4. The Arabs also ~~would probably~~<sup>might</sup> have strong objections to these drafts, principally on the ground that they postpone independence indefinitely and give the Jews a veto on the constitution of an independent unitary State. It is difficult to see how the Arabs could accept the provisions for continuing Jewish immigration ~~and~~ ~~xxx~~ Article 29, which appears to involve an abrogation of the Land Transfers Regulations.

5. In short, we doubt whether there is much prospect of Arab-Jewish agreement on the basis of these proposals. It therefore becomes important to estimate the military commitment which would be involved in imposing a regime of trusteeship by force. The Chiefs of Staff are preparing an appreciation in response to the enquiry reported in Washington telegram No. 1346. Meanwhile, a preliminary estimate suggests that five divisions would be necessary, together with several squadrons of aircraft and a fairly large naval force.

6. In your private discussions with the American Delegation you may make use of the ~~arguments~~<sup>points</sup> in the preceding paragraphs.

You should make it clear that we are giving these comments in response to the American request for/

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for our early observations and not simply with the idea of being obstructive. *HM Emb. at Washington should speak on similar lines to State Dept.*

8. Since considering these two drafts, we have received the further draft in your telegram No. 1057 [of April 5th] which we will now study. At first sight it seems to be open to many of the same difficulties as are set out above. ~~We note that it does not commit itself on questions of immigration etc., but leaves these to be settled after the trusteeship has been set up.~~

*JASB*  
*7.4*

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DIPLOMATIC SECRET DISTRIBUTION.

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No. 1422.

7th April, 1948. D. 3.15 p.m. 7th April, 1948.

Repeated to Washington No. 3807.

IMMEDIATE.

TOP SECRET.

Addressed to United Kingdom Delegation New York No. 1422 of April 7th, repeated for information to Washington.

My telegram No. 1393, paragraph 5 [of April 5th: Palestine].

The following are preliminary and general comments on the draft Trusteeship Agreements for Palestine communicated in strictest secrecy by the State Department to the Embassy in Washington.

2. These drafts provide that interim trusteeship would last until the Arab and Jewish communities in Palestine could agree upon a plan for complete self-government. In view of the present situation, there seems little reason to suppose that such agreement could be reached. The new administering authority would thus find itself in the position hitherto occupied by the British Administration in Palestine, and would be unable to bring its task to fulfilment because the essential condition for its fulfilment was unrealisable. Thus the trusteeship would be "interim" in name only, and the Palestine problem in substantially its present form would continue to operate as a factor of disturbance in the Middle East.

3. The provisions for terminating the trusteeship would also presumably have the effect of ruling out once and for all the possibility of any form of partition. This might well result in the rejection of the proposed trusteeship by the Jews. They might object to it on other grounds also, as for instance the provisions in Articles 16 and 17 (of the Three-Power draft) which in practice would mean that the formation of a Jewish Government was impossible.

4. The Arabs also might have strong objections to these drafts, principally on the ground that they postpone independence indefinitely and give the Jews a veto on the constitution of an independent unitary State. It is difficult to see how the Arabs could accept the provisions for continuing Jewish immigration or Article 29, which appears to involve an abrogation of the Land Transfers Regulations.

/5. In short, we

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F.O. telegram No.1422 to New York (U.K.Delegation)

- 2 -

5. In short, we doubt whether there is much prospect of Arab-Jewish agreement on the basis of these proposals. It therefore becomes important to estimate the military commitment which would be involved in imposing a regime of trusteeship by force. The Chiefs of Staff are preparing an appreciation in response to the enquiry reported in Washington telegram No.1346. Meanwhile, a preliminary estimate suggests that five divisions would be necessary, together with several squadrons of aircraft and a fairly large naval force.

6. In your private discussions with the American Delegation you may make use of the points in the preceding paragraphs. You should make it clear that we are giving these comments in response to the American request for our early observations and not simply with the idea of being obstructive. His Majesty's Embassy at Washington should speak on similar lines to State Department.

7. Since considering these two drafts, we have received the further draft in your telegram No.1057 [of April 5th] which we will now study. At first sight it seems to be open to many of the same difficulties as are set out above,

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